



APPROVED
BOARD OF DIRECTORS

DEC 08 2010

By Cyndi Lee
Clerk of the Board

5

Technology in balance with nature

Main Office

10060 Goethe Road
Sacramento, CA 95827-3553
Tele: [916] 876-6000
Fax: [916] 876-6160

DATE: December 8, 2010

TO: Honorable Board of Directors
Sacramento Regional County Sanitation District

FROM: Sacramento Regional County Sanitation District

**Sacramento Regional Wastewater
Treatment Plant**

8521 Laguna Station Road
Elk Grove, CA 95758-9550
Tele: [916] 875-9000
Fax: [916] 875-9068

SUBJECT: Sump 119 Outfall Demolition Project Environmental
Document – Negative Declaration (Control No. 2008-70109)

RECOMMENDATIONS:

It is recommended that your Board:

1. Determine that the Negative Declaration is adequate and complete
2. Adopt the Mitigation Monitoring and Reporting Program (MMRP)
3. Approve the filing of the Notice of Determination with the Sacramento County Clerk.

**Board of Directors
Representing:**

- County of Sacramento
- County of Yolo
- City of Citrus Heights
- City of Elk Grove
- City of Folsom
- City of Rancho Cordova
- City of Sacramento
- City of West Sacramento

BACKGROUND:

In the mid 1940's, there existed a County Sanitation District-1 (CSD-1), which is actually a different district than the CSD-1 of more recent times, and they constructed the Sump 119 pumping station, forcemain, and river outlet structure (outfall). In 1949, the State Lands Commission (SLC) granted a 50-foot wide right of way (ROW) to CSD-1 for operation and maintenance of the outfall sewer and its support. The SLC ROW authorization expired in 1998.

In 1972, portions of the sewer forcemain were demolished as part of the I-5 freeway project. Subsequently, much of the forcemain was removed and the support structures were abandoned in place.

With regionalization in the 1980's, Sump 119 and related abandoned facilities were transferred to the Sacramento Regional County Sanitation District (SRCSD). In November of 2005, SRCSD received a letter from the SLC requesting a removal plan for the abandoned support structures in the Sacramento River near 5804 Riverside Boulevard in Sacramento.

Stan R. Dean
District Engineer

Prabhakar Somavarapu
Director of Policy and Planning

Ruben R. Robles
Director of Operations

Marcia Maurer
Chief Financial Officer

Claudia Goss
Director of Communications

ACTION SUMMARY
COUNTY OF SACRAMENTO
SACRAMENTO REGIONAL COUNTY SANITATION DISTRICT
SACRAMENTO AREA SEWER DISTRICT
700 H STREET SUITE 1450
SACRAMENTO, CA 95814
WEDNESDAY December 08, 2010 9:30 AM

SASD Directors: Jeannie Bruins (Karpinski-Costa – Alternate), Jim Cooper (Hume – Alternate), Lauren Hammond (Pannell – Alternate), , Roberta MacGlashan, Don Nottoli, Susan Peters, Phil Serna, Dan Skoglund (McGarvey – Alternate), Jimmie R. Yee, Kerri Howell (Morin – Alternate)
(Directors Hammond and Howell were absent)

SRCS D Directors: Jeannie Bruins (Karpinski-Costa – Alternate), Steve Cohn, Jim Cooper (Hume – Alternate), Robert King Fong, Lauren Hammond (City of Sacramento Alternates: K. Johnson, K. McCarty, R. Tretheway, R. Waters), Roberta MacGlashan, Mike McGowan, Don Nottoli, Bonnie Pannell, Susan Peters, Sandy Sheedy, Dan Skoglund, Phil Serna (McGarvey – Alternate), Oscar Villegas (Kristoff – Alternate), Jimmie R. Yee, Kerri Howell (Morin – Alternate)
(Directors Cohn, Hammond, McGowan, and Howell were absent)

SCS DFA Directors: Jeannie Bruins (Karpinski-Costa – Alternate), Steve Cohn, Jim Cooper (Hume – Alternate), Robert King Fong, Lauren Hammond (City of Sacramento Alternates: K. Johnson, K. McCarty, R. Tretheway, R. Waters), Roberta MacGlashan, Mike McGowan, Don Nottoli, Bonnie Pannell, Susan Peters, Phil Serna, Sandy Sheedy, Dan Skoglund (McGarvey – Alternate), Oscar Villegas (Kristoff – Alternate), Jimmie R. Yee, Kerri Howell (Morin – Alternate)

The Board of Directors welcomes and encourages participation in the Board meetings. When it appears there are several members of the public wishing to address the Board on a specific item, at the outset of the item the Chair of the District will announce the maximum amount of time that will be allowed for presentation of testimony. Matters under the jurisdiction of the District and not on the posted agenda may be addressed by the general public following completion of the regular agenda and any off agenda matters before the District for consideration. The District limits testimony on matters not on the agenda to five minutes per person and not more than fifteen minutes for a particular subject.

The meeting is videotaped in its entirety and will be cablecast live on Metrocable 14, the government affairs channel on the Comcast and SureWest Cable Systems and is closed captioned for our hearing impaired viewers. The meeting is webcast live at <http://www.saccounty.net>. Today's meeting is being broadcast live and will be rebroadcast on Sunday at 6:00 p.m. A VHS copy will be available for checkout through the County Library System seven to ten days following the meeting. The on-line version of the agenda and associated materials are posted for your convenience at [http://www.agendanet.saccounty.net/sirepub/meetresults.aspx?meettype=Sanitation District Meetings](http://www.agendanet.saccounty.net/sirepub/meetresults.aspx?meettype=Sanitation%20District%20Meetings). Some documents may not be posted on-line because of their size and/or format (maps, site plans, and renderings). As they become available, hard copies of all documents are available at the Clerk of the Board's Office, 700 H Street, Room 2450.

Meeting facilities are accessible to persons with disabilities. Requests for interpreting services, assistive listening devices or other considerations should be through the Clerk of the Board's office by calling (916) 874-5411 (voice) and CA Relay Services 711 (for the hearing impaired), no later than five working days prior to the meeting.

THE REGULAR BOARD OF DIRECTORS MEETING COMMENCED AT 9:30 A.M.

SECTION I - TIMED MATTERS
SACRAMENTO REGIONAL COUNTY SANITATION DISTRICT

DISTRICT CONSENT MATTERS (Items 1 through 5)

9:41 AM Board Action: Robert King Fong/ Oscar Villegas - Approved the Consent Matters, Items 1 through 5, with the exception of item 4. Please see Item 4 for Board action.

AYES: Susan Peters, Roberta MacGlashan, Jimmie Yee, Bonnie Pannell, Robert King Fong, Oscar Villegas, Dan Skoglund, Jeannie Bruins, Sandy Sheedy, Jim Cooper

NOES: (None)

ABSTAIN: (None)

ABSENT: Don Nottoli, Steve Cohn, Lauren Hammond, Mike McGowan, Kerri Howell

1. [Contract No. 3907, "Upper Northwest Interceptor Sections 1&2," Change Order No. 10, An Increase Of \\$91,679.21, No Additional Calendar Days And Final Contract Acceptance \(R. Dickinson\)](#)

9:41 AM Board Action: Approved as recommended

2. [Contract No. 8000002, Approve The Sacramento Regional County Sanitation District's Participation In The Regional Water Authority \(RWA\) Application For Proposition 84 Grant Funds And Authorize The District Engineer To Execute An Agreement With RWA For Preparation Of The Proposition 84 Implementation Grant Application \(All\)](#)

9:41 AM Board Action: Approved by Resolution No. **SR-2558**

3. [Adopt Resolution Modifying The Sacramento Regional County Sanitation District's Reserve Schedule For Fiscal Year 2009-10 \(All\)](#)

9:41 AM Board Action: Approved by Resolution No. **SR-2559**

4. [Approve Appropriation Adjustment Request 2011-5007 To Recognize The Revenue From The Rate Increase Approved On July 14, 2010, And Increase Appropriations In The Amount Of \\$1,502,343 In The Sacramento Regional County Sanitation District Operating Fund \(261A\) \(All\)](#)

9:36 AM Board Action: Robert King Fong/ Susan Peters - Continued to January 12, 2011.

AYES: Susan Peters, Roberta MacGlashan, Jimmie Yee, Bonnie Pannell, Robert King Fong, Oscar Villegas, Dan Skoglund, Jeannie Bruins, Sandy Sheedy, Jim Cooper

NOES: (None)

ABSTAIN: (None)

ABSENT: Don Nottoli, Steve Cohn, Lauren Hammond, Mike McGowan, Kerri Howell

5. [Determine Negative Declaration As Complete, Adopt The Mitigation Monitoring And Reporting Programs, And Approve The Filing Of The Notice Of Determination With The Sacramento County Clerk For The Sump 119 Outfall Demolition \(Control No. 2008-70109\) \(R. Fong, J. Yee\)](#)

9:41 AM Board Action: Approved as recommended

SACRAMENTO REGIONAL COUNTY SANITATION DISTRICT

DISTRICT SEPARATE MATTER

6. [Verbal Update On The Sacramento Regional Wastewater Treatment Plant NPDES Permit And Sacramento - San Joaquin Delta Issues \(All\) \(5 Minutes\)](#)

9:42 AM Board Action: Report was made. No Board action.

SACRAMENTO REGIONAL COUNTY SANITATION DISTRICT

AND

SACRAMENTO AREA SEWER DISTRICT

DISTRICTS SEPARATE MATTERS

7. [DIRECTORS DISCUSSION OF ISSUES FOR FUTURE AGENDAS](#)

9:50 AM Board Action: No Board action

SACRAMENTO AREA SEWER DISTRICT

DISTRICT CONSENT MATTERS (Item 8)

- 8. [Adopt Resolution Modifying The Sacramento Area Sewer District's Reserve Schedule For Fiscal Year 2009-10 \(All\)](#)

9:52 AM Board Action: Don Nottoli/ Susan Peters - Approved the Consent Matter, Item 8, by Resolution No. **SD-0103**, as recommended.

AYES: Susan Peters, Don Nottoli, Roberta MacGlashan, Jimmie Yee, Dan Skoglund, Jeannie Bruins, Jim Cooper

NOES: (None)

ABSTAIN: (None)

ABSENT: Lauren Hammond, Kerri Howell

SECTION II - MISCELLANEOUS MATTERS

MISCELLANEOUS MATTERS ARE NON-ACTION
ITEMS LISTED FOR THE RECORD ONLY

Communications Received And Filed

- 9. [Sacramento Regional County Sanitation District -- Receive And File Elk Grove Police Department Letter Of Acknowledgement \(All\)](#)
- 10. [Sacramento Regional County Sanitation District -- Receive And File Quarterly District Engineers Report for the Sacramento Regional County Sanitation District \(All\)](#)
- 11. [Sacramento Regional County Sanitation District -- Receive And File Status Update On The South Sacramento Habitat Conservation Plan \(All\)](#)
- 12. [Sacramento Area Sewer District -- Receive And File Quarterly District Engineers Report for the Sacramento Area Sewer District \(All\)](#)
- 13. [Sacramento Area Sewer District -- Monthly Report Of Backup Into Structure \(BIS\) Claims \(All\)](#)

**SACRAMENTO COUNTY SANITATION DISTRICTS FINANCING
AUTHORITY**

MEETING CANCELLED

9:54 AM - Adjourned

Respectfully Submitted,
CYNDI LEE, Clerk
Board of Directors

am: 1/1/.07

DISCUSSION:

Removal of the abandoned support structures in the Sacramento River requires multiple permits. The permitting process must be preceded by an approved environmental document.

The Department of Environment Review and Assessment (DERA) prepared an Initial Study/Negative Declaration (IS/ND) for the Sump 119 Outfall Demolition Project. It was released on September 8, 2010 and the IS/ND was distributed to the State Clearinghouse and other federal and local agencies. In addition, the IS/ND was posted on the DERA website for public review and comment. The written comment period ended on October 7, 2010. One comment was received from the Central Valley Flood Protection Board that requested that SRCSD submit an application for a permit prior to the demolition.

PUBLIC OUTREACH:

Public outreach will be led by the SRCSD's Department of Communications prior to demolition work.

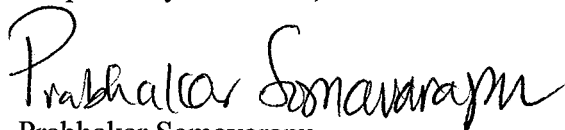
FINANCIAL ANALYSIS:

The planning level cost estimate is \$500,000 for the demolition of the support structures. Funding for this project will be provided by the SRCSD Operations Fund.

CONCLUSION:

It is recommend that your Board determine that the Negative Declaration is adequate and complete, adopt the MMRP, and approve filing the Notice of Determination with the Sacramento County Clerk.

Respectfully submitted,



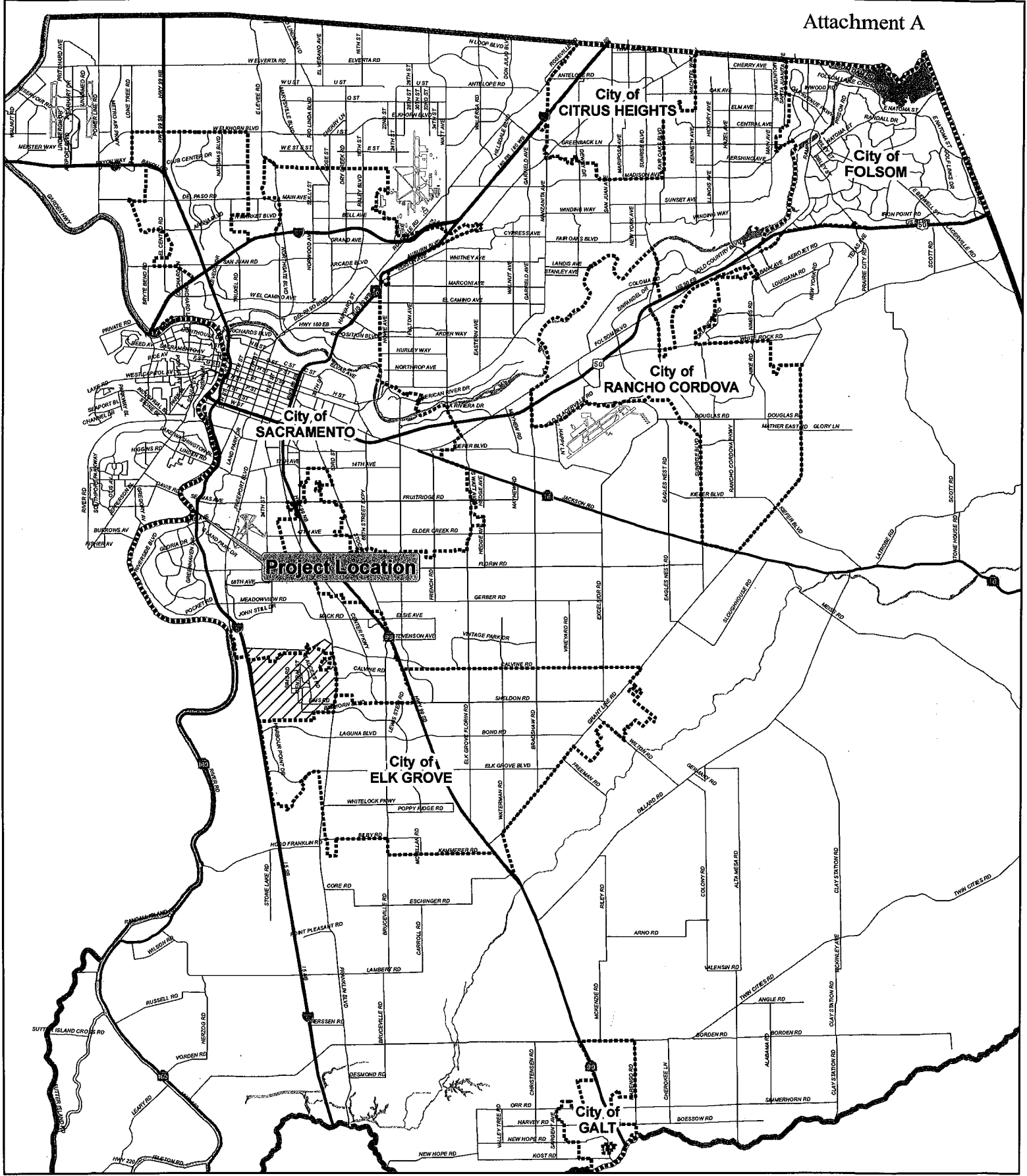
Prabhakar Somavarapu
Director of Policy and Planning

APPROVED:



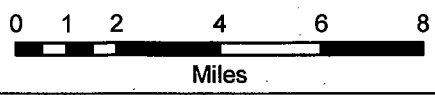
Stan Dean
District Engineer

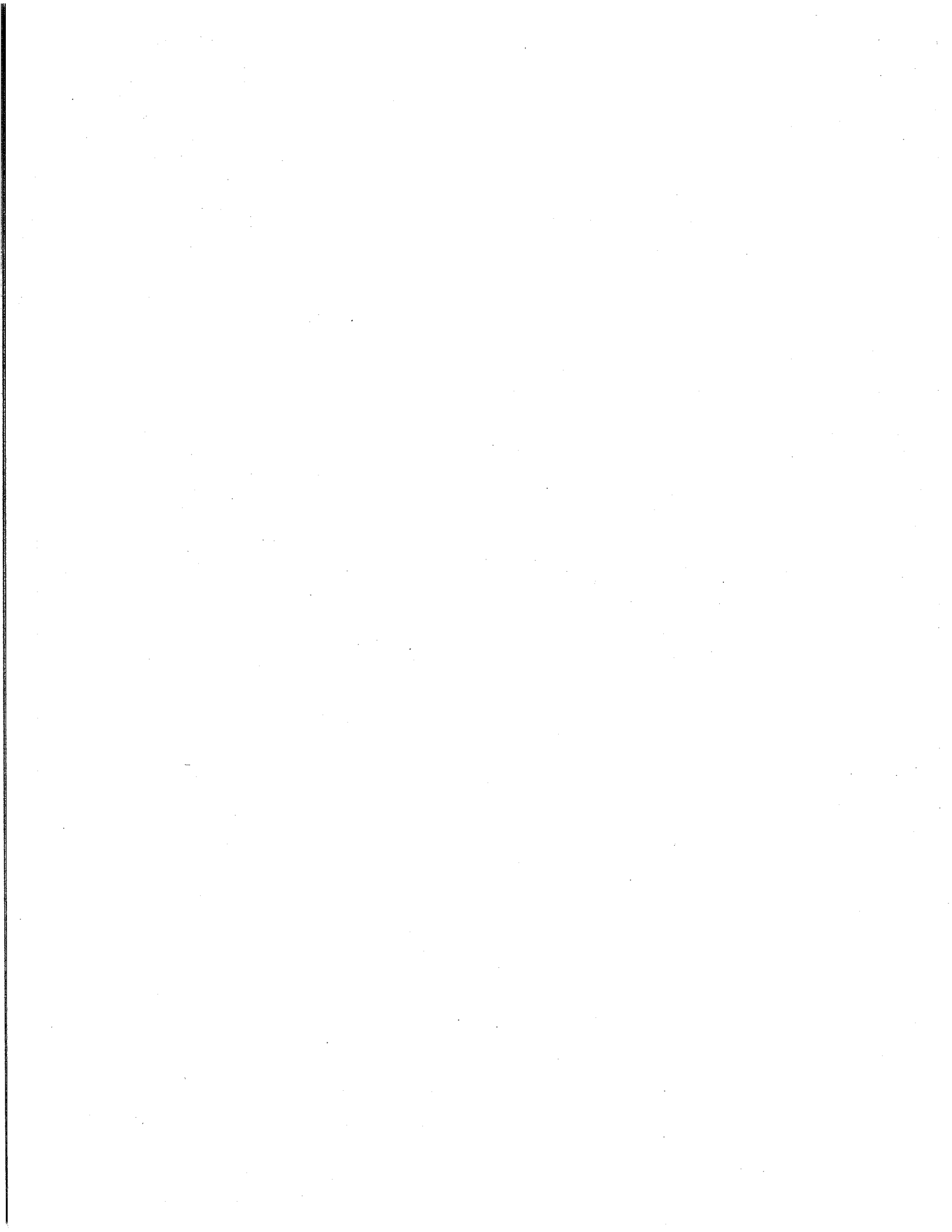
Attachments: Attachment A -Vicinity Map
Attachment B - Notice of Intent
Attachment C - Negative Declaration/Initial Study
Attachment D - Central Valley Flood Protection Comment Letter



Legend

- City Boundaries
- SRWTP
- Sacramento County Boundary





NOTICE OF INTENT TO ADOPT A NEGATIVE DECLARATION

NOTICE is hereby given that the County of Sacramento, State of California intends to adopt a Negative Declaration for the project described below.

TITLE: SUMP 119 OUTFALL DEMOLITION

CONTROL NUMBER: 2008-70109

LOCATION:

The project site is located near 5804 Riverside Boulevard on the tidal and submerged lands of the Sacramento River, which is a navigable water of the United States. The site is partially within a 2.87± acres parcel owned by the California State Lands Commission (SLC), within the Land Park-Pocket-Meadowview community.

APN:

029-0021-041, 029-0021-056, and 029-0021-047

GENERAL DESCRIPTION:

The Sacramento Regional County Sanitation District (SRCSD) proposes the removal of six abandoned bents and two groups of dolphin piers from the Sacramento River. Installed in 1946, the bents once supported a 30-inch-diameter sewer force main within the river, which has since been demolished. The pilings for each bent and dolphin piers were embedded into the river bed a minimum of 20 feet until a minimum bearing of 10 tons was established. The demolition of the existing structures will attempt to remove each piling intact. If the entire length of the piling cannot be extracted, the piling will be cut below the existing river bed and abandoned in place. If necessary project demolition will include excavation to expose the concrete blocks. Once the concrete is removed the remaining piles and dolphin piers will be extracted using a clamp and vibratory extractor. Engineered backfill will be required for excavation on the river bank. The Bents that remain will be removed with a barge mounted crane, clamp, and vibratory extractor. No backfill is anticipated for these bents.

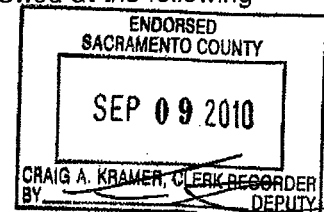
The type of sediment transport minimization devices used will depend on the extent of excavation required and river level. Possible options include encasing the pile with a large diameter steel pipe, installing turbidity curtains, or installing a cofferdam and suctioning the sediment to baker tanks located on the shore. If a pile breaks during construction, divers will excavate up to eight feet below the riverbed and then the pile will be cut off at a depth of five feet.

Major demolition and debris removal work will occur from the Sacramento River using a barge with a tug and debris scow. Incidental demolition and debris removal work may occur from land.

REVIEW:

The review period for the Negative Declaration begins on September 08, 2010, and ends on October 7, 2010. The Negative Declaration may be reviewed at the following location:

**Sacramento County
Department of Environmental
Review and Assessment
827 7th Street, Room 220
Sacramento, California 95814
(916) 874-7914**



Comments regarding the Negative Declaration should be directed to the Sacramento County Environmental Coordinator and emailed to DERA@sacounty.net or mailed to 827 7th Street, Room 220, Sacramento, California, 95814. Failure to do so will not preclude your right to testify at a future public hearing for the proposed project. The date, time, and place of the public hearing is presently unknown. A notice providing the date, time, and place of the public hearing will be provided by the hearing body authorized to conduct the public hearing for the proposed project.

NEGATIVE DECLARATION

Pursuant to Division 6, Title 14, Chapter 3, Article 6, Sections 15070 and 15071 of the California Administrative Code and pursuant to the Procedures for Preparation and Processing of Environmental Impact Reports adopted by the County of Sacramento pursuant to Sacramento County Ordinance No. SCC-116, the Environmental Coordinator of Sacramento County, State of California, does prepare, make, declare, publish, and cause to be filed with the County Clerk of Sacramento County, State of California, this Negative Declaration re: The Project described as follows:

1. **Control Number:** 2008-70109
2. **Title and Short Description of Project:**
SUMP 119 OUTFALL DEMOLITION
3. **Assessor's Parcel Number:** 029-0021-041
4. **Location of Project:**
5. **Project Applicant:**
6. Said project will not have a significant effect on the environment for the following reasons:
 - a) It will not have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory.
 - b) It will not have the potential to achieve short-term, to the disadvantage of long-term, environmental goals.
 - c) It will not have impacts, which are individually limited, but cumulatively considerable.
 - d) It will not have environmental effects, which will cause substantial adverse effects on human beings, either directly or indirectly.
7. As a result thereof, the preparation of an environmental impact report pursuant to the Environmental Quality Act (Division 13 of the Public Resources Code of the State of California) is not required.
8. The attached Initial Study has been prepared by the Sacramento County Department of Environmental Review and Assessment in support of this Negative Declaration. Further information may be obtained by contacting the Department of Environmental Review and Assessment at 827 Seventh Street, Room 220, Sacramento, California, 95814, or phone (916) 874-7914.

[Original signature on file]

Joyce Horizumi

ENVIRONMENTAL COORDINATOR OF
SACRAMENTO COUNTY, STATE OF CALIFORNIA

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COUNTY OF SACRAMENTO
DEPARTMENT OF ENVIRONMENTAL REVIEW AND ASSESSMENT
INITIAL STUDY

PROJECT INFORMATION

CONTROL NUMBER: 2008-70109

NAME: SUMP 119 OUTFALL DEMOLITION

LOCATION: The project site is located near 5804 Riverside Boulevard on the tidal and submerged lands of the Sacramento River, which is a navigable water of the United States. The site is partially within a 2.87± acres parcel owned by the California State Lands Commission (SLC), within the Land Park-Pocket-Meadowview community.

ASSESSOR'S PARCEL NUMBER: 029-0021-041, 029-0021-056, and 029-0021-047

APPLICANT:

Sacramento Regional County
Sanitation District (SRCSD)
Attention: Steve Nebozuk

OWNER:

California State Lands
Commission (SLC)
Attention: Steven Mindt

PROJECT DESCRIPTION

The Sacramento Regional County Sanitation District (SRCSD) proposes the removal of six abandoned bents and two groups of dolphin piers from the Sacramento River. Installed in 1946, the bents once supported a 30-inch-diameter sewer force main within the river, which has since been demolished. The pilings for each bent and dolphin piers were embedded into the river bed a minimum of 20 feet until a minimum bearing of 10 tons was established. The demolition of the existing structures will attempt to remove each piling intact. If the entire length of the piling cannot be extracted, the piling will be cut below the existing river bed and abandoned in place. If necessary project demolition will include excavation to expose the concrete blocks. Once the concrete is removed the remaining piles and dolphin piers will be extracted using a clamp and vibratory extractor. Engineered backfill will be required for excavation on the river bank. The Bents that remain will be removed with a barge mounted crane, clamp, and vibratory extractor. No backfill is anticipated for these bents.

The type of sediment transport minimization devices used will depend on the extent of excavation required and river level. Possible options include encasing the pile with a large diameter steel pipe, installing turbidity curtains, or installing a cofferdam and suctioning the sediment to baker tanks located on the shore. If a pile breaks during

construction, divers will excavate up to eight feet below the riverbed and then the pile will be cut off at a depth of five feet.

Major demolition and debris removal work will occur from the Sacramento River using a barge with a tug and debris scow. Incidental demolition and debris removal work may occur from land.

ENVIRONMENTAL SETTING

The Sacramento River Basin encompasses about 26,500 square miles and is bounded by the Sierra Nevada Mountains to the east, the Coast Ranges to the west, the Cascade Range and Trinity Mountains to the north, and the Delta Central Sierra area to the south. Within the Sacramento River Basin are sub-basins or smaller watersheds that drain to the tributaries of the Sacramento River. The Sacramento River is California's largest river and carries 31% of the state's total runoff water. The Sacramento River is 384 miles long stretching from the headwaters near Mount Shasta to the mouth in the Delta.

The project site is situated on the east side of the Sacramento River within 550 feet of Riverside Boulevard and within 300 feet of the levee (Plate IS-1 and Plate IS-2). Access to the site is provided from Riverside Boulevard via a paved driveway located at 5804 Riverside Blvd, which extends west over the levee and down to an open grass/gravel area near the river. North of the driveway, along the west side of the levee, there is an open area where vegetation has been cleared due to a recent fire event. To the west of this location, as the ground slopes downward toward the riverbank, the area is covered with dense riparian vegetation. A number of native and non-native tree species are located within this vegetated area including several oak species.

The river bank where the first bent is situated is approximately 125 feet from the toe of the levee. As shown in Plate IS-5 the bents are each spaced 25 feet apart, with the first two being embedded into the river bank and the remaining four within the river. Bent one can be seen within the river bank, several feet away from the water's edge. Bent two is closer to the water's edge. Its concrete encasement block is exposed during low tide and the pipe that was cutoff flush is slightly exposed. Bents three through six are farther into the river. Only the top bracing of the wooden piles can be seen. Each bent is constructed of two piles; each installed a minimum of 20 feet into the bottom of the river bed until a minimum bearing of 10 tons was found. Above the river bed the two piles support a concrete encasement for the 30-inch force main. At the top of each bent (above the water surface), the two piles were braced with pressure treated wooden planks. Bents located farther in the river (bents three, four, five, and six) were also braced with batter piles on the downstream side (Plate IS-3 and Plate IS-4).

Plate IS-1: Vicinity Map of Project Site

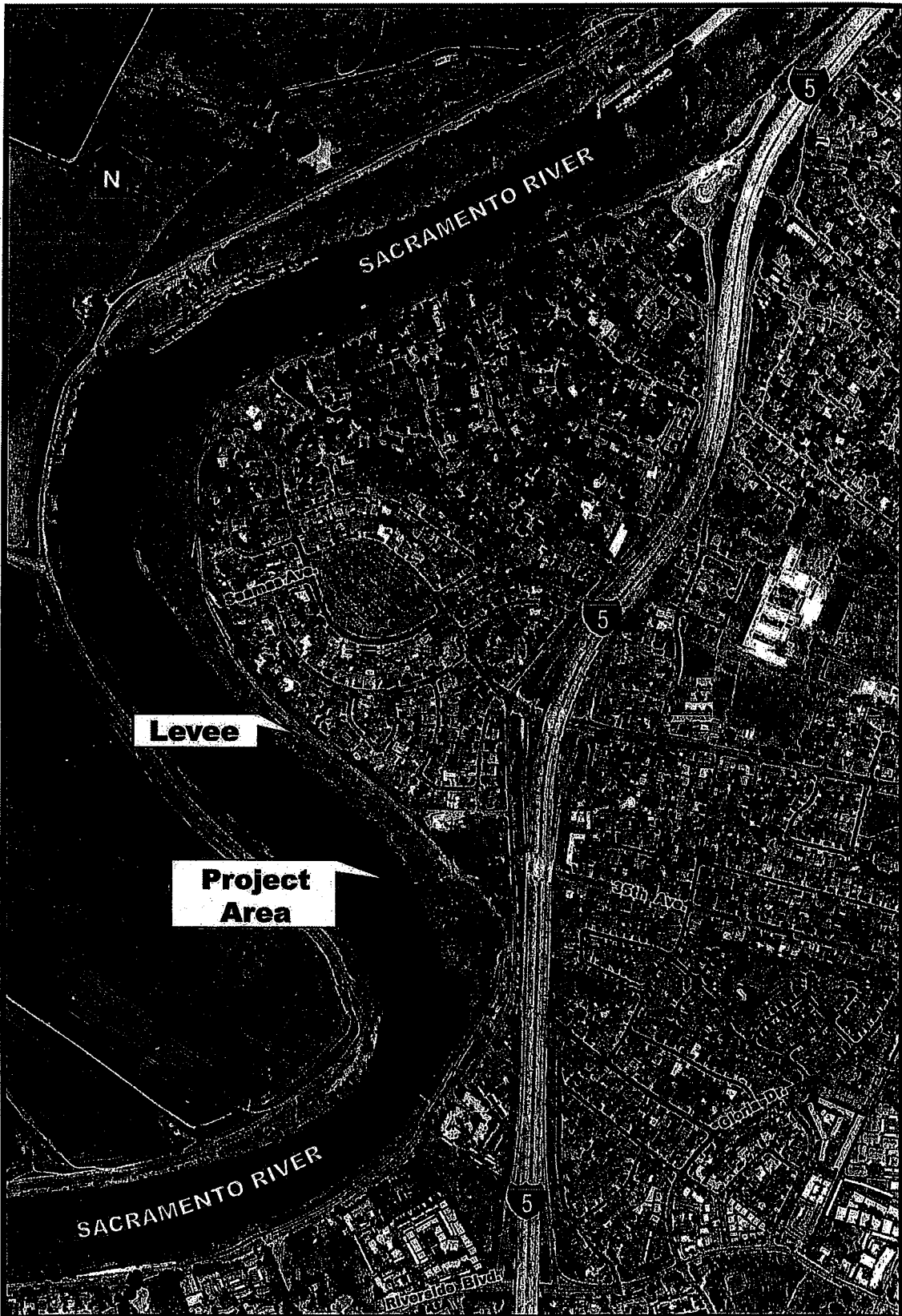


Plate IS-2: Close-up Aerial Photograph of Project Site

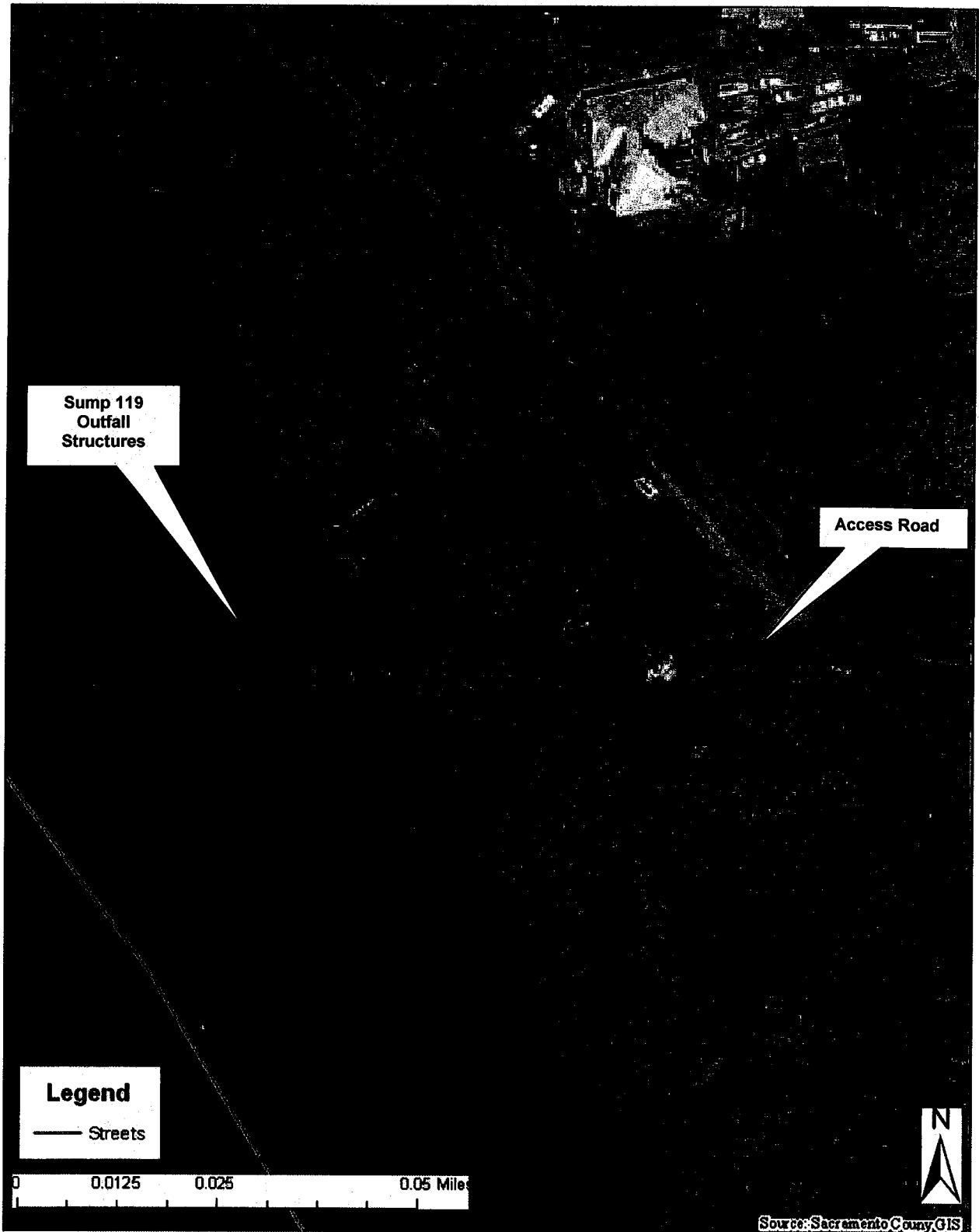


Plate IS-3: Sump 119 Outfall Structure Plan, Elevation, and Bent Details

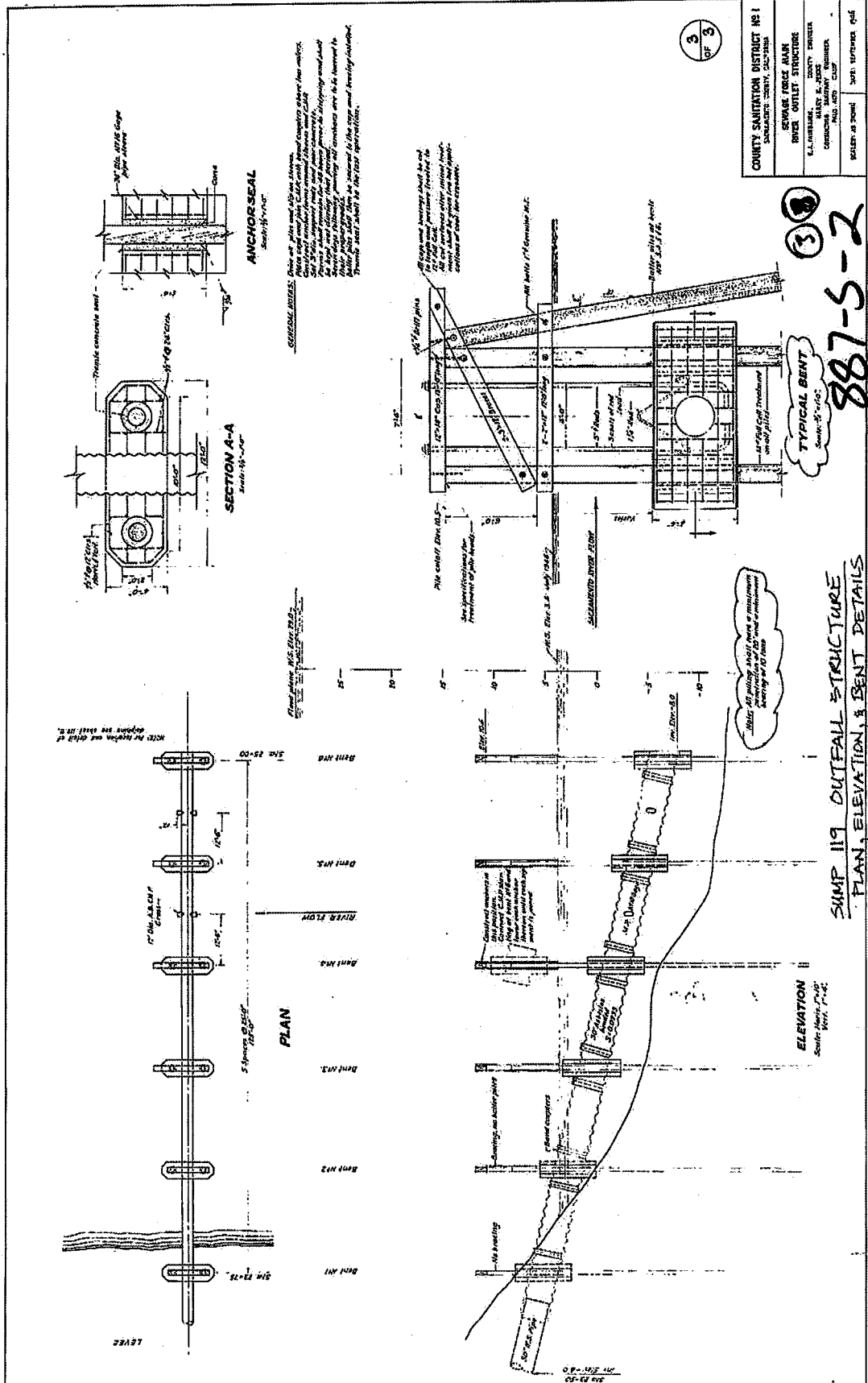
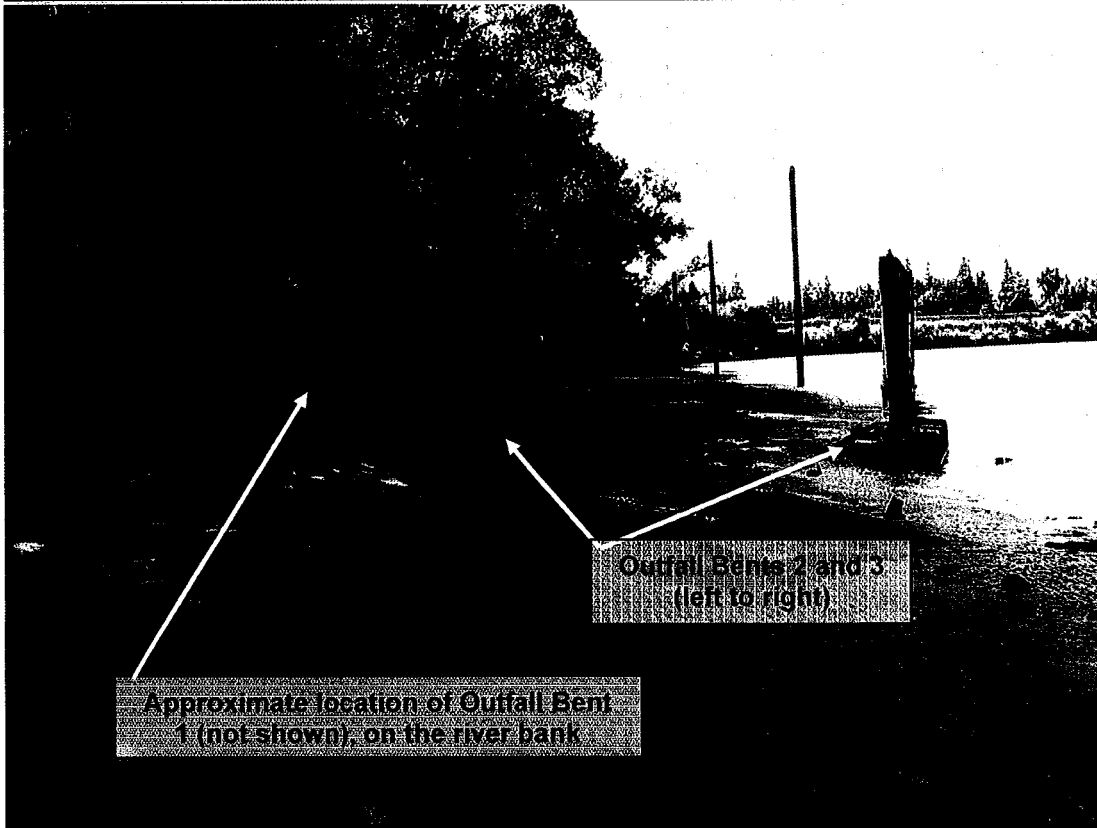
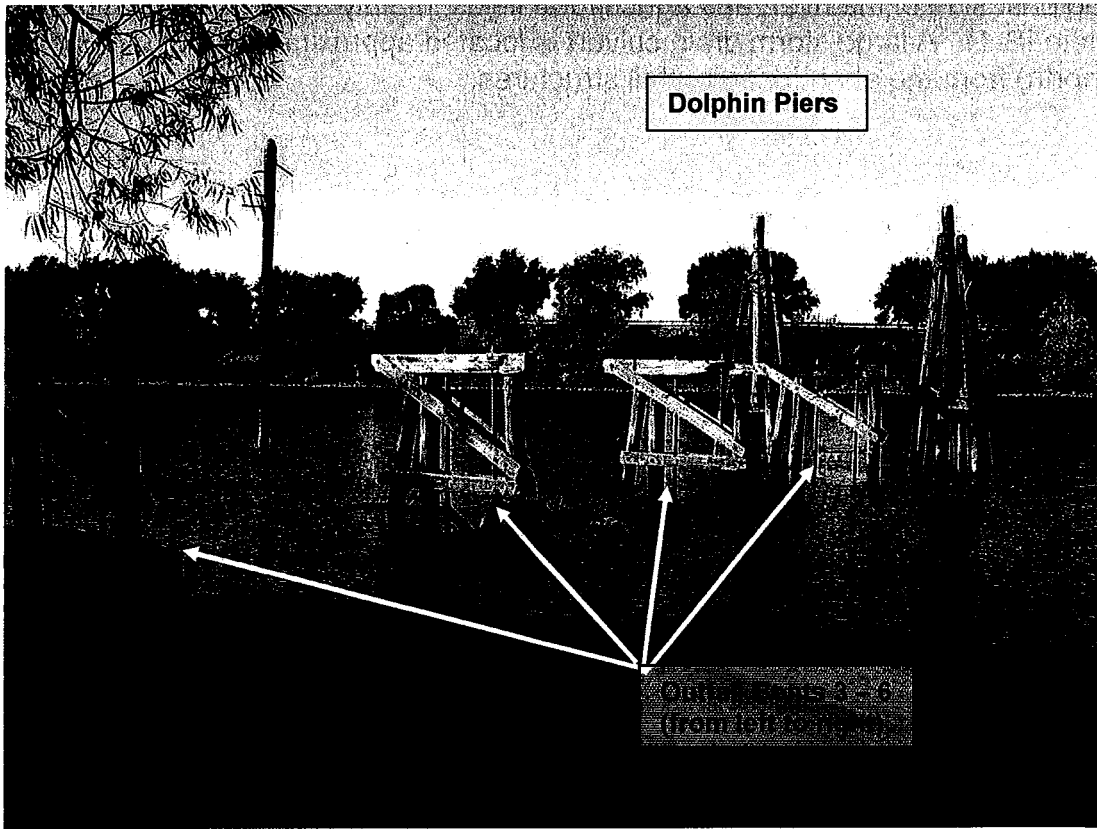


Plate IS-5: Outfall Bents and Dolphin Piers



Land uses in the vicinity of the project site consist of single family dwellings, mainly along the east side of the river, and agricultural fields, mainly along the west side of the river (Plate IS-1). A large storm drain culvert is located approximately 50 feet upstream (to the north) from the abandoned outfall structures.

ENVIRONMENTAL EFFECTS

See the Initial Study Checklist attached to this report and the following discussion.

BACKGROUND

The Sump 119 pumping station, force main, and river outlet structure (outfall) were formerly owned and operated by the historical County Sanitation District-1. Ownership of the remaining structures was passed to SRCSD during regionalization in the 1980s. The force main was located within a 15-foot wide sewer easement, which was granted to the County of Sacramento in September 1946.

In February 1949, the SLC granted a 50-foot wide right-of-way (ROW) to the County of Sacramento for the construction, operation, and maintenance of the outfall sewer and protective works. The SLC ROW was effective to a maximum term of 49 years unless use of the sewer facilities discontinued for a period of 365 days. This 50-foot ROW expired in 1998.

In 1972 portions of the sewer force main between the levee and outfall structure were demolished as part of the I-5 freeway project. At the outfall section the 30-inch force main was cutoff flush with the face of the concrete encasement block. Upstream from bent number one the force main was plugged with a welded steel plate and abandoned in place. In the river sections of the force main between the bents were removed. The bent and dolphin piers were abandoned in place.

The SLC has now requested the removal of the abandoned piers.

ACCESS

Primary access for demolition and debris removal work is anticipated to occur from a barge with a tug and debris scow located within the Sacramento River. Limited land access may be taken for incidental construction debris.

Vehicular access is available from Riverside Boulevard via an access road located at 5804 Riverside Boulevard. The adjacent top of levee road may also be used for land access and demolition disposal work as needed. A crane mounted barge and necessary crew will remove the concrete blocks and extract the piers. If necessary the piles will be cut off five feet below the mud line.

The project staging area will be located adjacent to the river within a federally designated floodplain. Impacts related to flooding are discussed in the Drainage section of this document. Minimal impact due to staging is anticipated at this location given the existing disturbance and compaction of soils from the partially paved driveway at 5804 Riverside Boulevard. The riverbank can be accessed from the terminus of this driveway where a significant amount of vegetation appears to have been previously cleared.

Although vegetation removal has not been proposed and is not anticipated, it is possible that access to the riverbank will result in unforeseen vegetation removal. Thus, mitigation measures have been recommended to ensure compensation for impacts to native tree species and riparian habitat. Issues related to these impacts are discussed in the Biological Resources section of this document. Furthermore, due to the existing terrain of the site from the staging area to the toe of the river bank, vehicular access to the river bank may result in erosion of the slope. In order to prevent permanent damage due to erosion, mitigation measures have been recommended to require preparation and implementation of an erosion control and water quality protection plan.

Impacts related to access are considered *less than significant*.

NOISE

Project demolition will occur within the Sacramento River. Noise receptors within the project vicinity consist mainly of single family residences. The nearest residence is approximately 75 feet northeast of the project staging area and 300 feet northeast of the project location.

The project proposes to remove six abandoned bents and two groups of dolphin piers from the Sacramento River. The pilings for each bent and dolphin pier are embedded into the river bed at a minimum of 20 feet. The contractor will attempt to remove each piling intact. If the entire length of the piling cannot be extracted without extensive excavation the piling will be cut a minimum of five feet below the existing river bed and abandoned. Equipment that is expected to generate noise includes a crane, barge equipment, and vehicles. Although the noise level in the immediate area will increase during demolition, demolition activities will be temporary and are planned to occur between the hours of 6:00 a.m. and 6 p.m. on weekdays.

Construction noise is conditionally exempt from the noise standards imposed by the Sacramento County Noise Ordinance, as outlined in Chapter 6.68 of the County Code. Construction noise is exempt from 6:00 a.m. to 8:00 p.m. Monday through Friday and from 7:00 a.m. to 8:00 p.m. on Saturday and Sunday. All work will be conducted during normal construction work hours when noise from construction activities is exempt from the County Noise Ordinance.

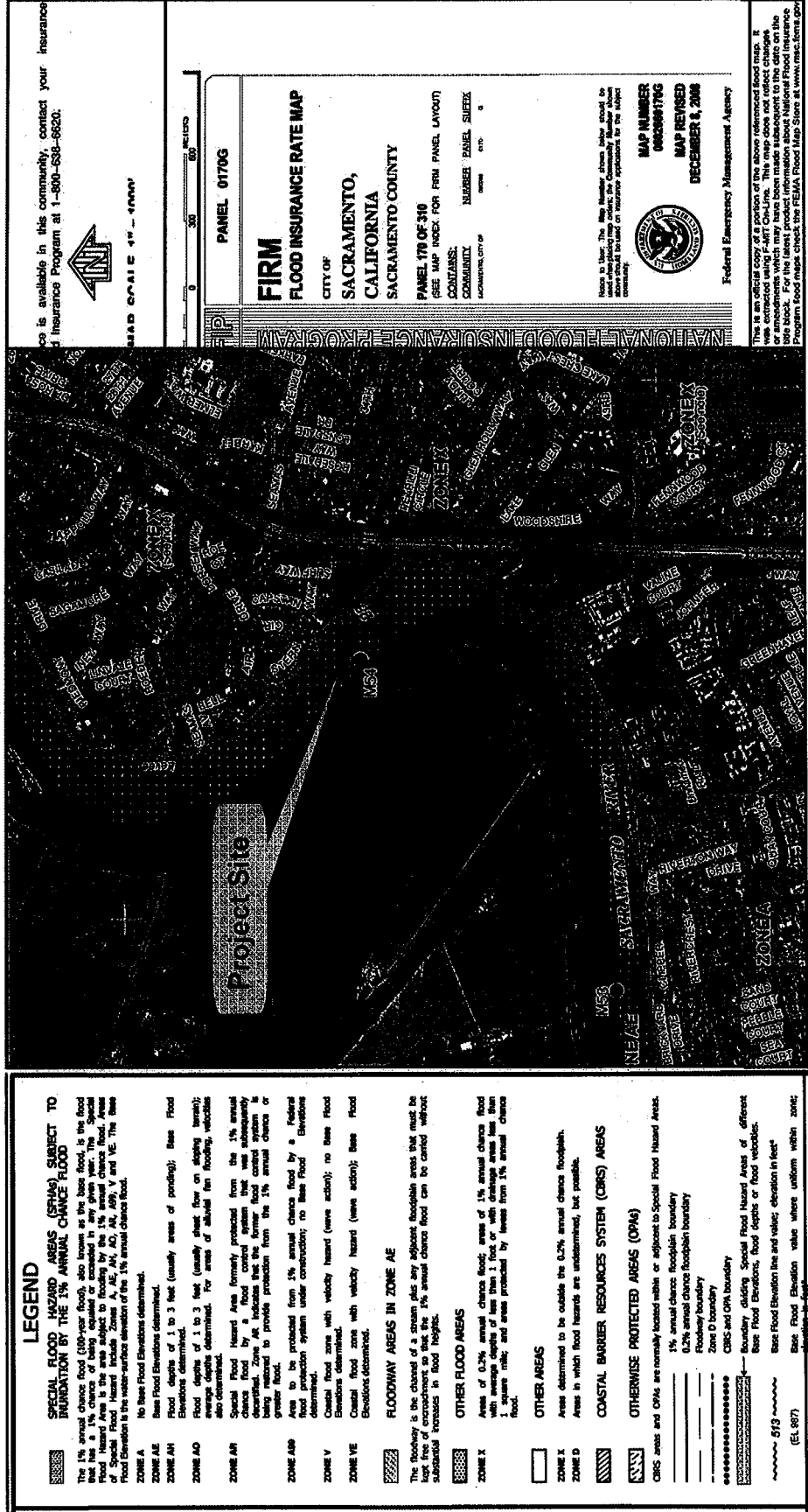
The project has the potential to result in noise that may affect special status fish species. Noise impacts related to special status fish species are discussed in the Biological Resources section of this document.

For the reasons discussed above impacts related to construction noise are considered ***less than significant***.

DRAINAGE

The project consists of work within the submerged lands of Sacramento River and abutting parcels which will be utilized for access and staging. The project work area falls within the Federal Emergency Management Agency (FEMA) Flood Zone AE and Zone X, as determined by the 1998 FEMA Flood Insurance Rate Map, Panel Number 060266-0170G (Plate IS-6). The AE flood zones are areas identified as Special Flood Hazard Areas (SFHA) or areas that will be inundated by a flood event having a one percent chance of being equaled or exceeded in any given year. The one percent annual chance flood is also referred to as the base flood or 100-year flood. In the AE flood zone the Base Flood Elevations (BFEs) are defined and mandatory flood insurance purchase requirements and floodplain management standards apply. Flood Zone X is defined as areas of 100-year flood with average depths of less than one foot or with drainage areas less than one square mile; and areas protected by levees from 100-year flood. The FEMA map is used in administering the National Flood Insurance Program and does not necessarily identify all areas subject to flooding.

Plate IS-6: FEMA Flood Insurance Map (Panel #060266-0170G)



The completed project will not alter drainage patterns or reduce floodplain area. Further, all disturbed surfaces will be restored and any temporary barriers and structures used during the construction will be removed. However, due to the project location within a designated federal floodplain, construction activities that may take place during the wet season may not adequately withstand high flows without resulting in the inundation and entrainment of construction material in flood flows. Consequently, mitigation measures have been included restricting the construction period within flood prone areas to the dry season or limiting construction activities to those that can adequately withstand high flows.

Implementation of the recommended mitigation measures will ensure that impacts related to flooding are *less than significant*.

STORMWATER POLLUTION AND EROSION/SEDIMENT CONTROL

BACKGROUND

Sacramento County has a National Pollutant Discharge Elimination System (NPDES) Municipal Stormwater Permit issued by the Regional Water Quality Control Board (Regional Board). The Municipal Stormwater Permit requires the County to reduce pollutants in stormwater discharges to the maximum extent practicable. The County complies with this permit in part by developing and enforcing ordinances and requirements to reduce the discharge of sediments and other pollutants in runoff from newly developing and redeveloping areas of the County.

SACRAMENTO COUNTY ORDINANCES

The County has established a Stormwater Ordinance (Sacramento County Code 15.12). The Stormwater Ordinance prohibits the discharge of unauthorized non-stormwater to the County's stormwater conveyance system and local creeks. It applies to all private and public projects in the County, regardless of size or land use type. In addition, Sacramento County Code 16.44 (Land Grading and Erosion Control) requires private construction sites disturbing one or more acres or moving 350 cubic yards or more of earthen material to obtain a grading permit. To obtain a grading permit, project proponents must prepare and submit for approval an Erosion and Sediment Control (ESC) Plan describing erosion and sediment control best management practices (BMPs) that will be implemented during construction to prevent sediment from leaving the site and entering the County's storm drain system or local receiving waters. Construction projects not subject to SCC 16.44 are subject to the Stormwater Ordinance (SCC 15.12) described above. Public works projects are not required to obtain a grading permit if the work is being completed by a County agency or department because the County does not issue permits to itself. Grading permits may be required for private firms to use borrow or fill sites if they were not identified when the project was approved.

STATE PERMIT FOR CONSTRUCTION PROJECTS

Construction sites disturbing one or more acres are required to comply with the State's General Stormwater Permit for Construction Activities. The Construction General Permit is issued by the State Water Resources Control Board (<http://www.waterboards.ca.gov/stormwtr/construction.html>) and enforced by the Regional Board. Coverage is obtained by submitting a Notice of Intent (NOI) to the State Board prior to construction. The General Permit requires preparation and implementation of a site-specific Stormwater Pollution Prevention Plan (SWPPP) that must be kept on site at all times for review by the State inspector.

When a grading permit is required, the applicant must show proof that a NOI has been filed and must submit a copy of the SWPPP to the County Department of Water Resources. Although the County has no enforcement authority related to the Construction General Permit, the County is required by its Municipal Stormwater Permit to verify that SWPPPs include some minimum components.

TEMPORARY CONSTRUCTION BMPs

During the wet season (October 1 – April 30), the project must include an effective combination of erosion, sediment and other pollution control BMPs in compliance with the County ordinances and the State's Construction General Permit. During the rest of the year, typically erosion controls are not required, except in the case of predicted rain.

Erosion controls should always be the first line of defense, to keep soil from being mobilized in wind and water. Examples include stabilized construction entrances, tackified mulch, 3-step hydroseeding, spray-on soil stabilizers and anchored blankets. Sediment controls are the second line of defense; they help to filter sediment out of runoff before it reaches the storm drains and local waterways. Sediment control measures include dikes, sediment detention traps, sediment detention basins, filters, fences, barriers, swales, berms, drains, check dams, staked or weighted straw wattles/fiber rolls, and silt fences and other measures which control the deposit of soil or earth material.

The project must have BMPs in place to keep other construction-related wastes and pollutants out of the storm drains. Such practices include, but are not limited to: filtering water from dewatering operations, providing proper washout areas for concrete trucks and stucco/paint contractors, containing wastes, managing portable toilets properly, and dry sweeping instead of washing down dirty pavement.

The Department of Water Resources will verify that the BMPs for the project are appropriate for the unique site conditions, including topography, soil type and anticipated volumes of water entering and leaving the site during the construction phase.

To minimize sediment transport when cutting the pilings, the project's sediment control measures may include encasing the piling with a larger diameter steel pile, installing turbidity curtains, or installing a cofferdam and suctioning sediment to a baker tank.

Implementation of the project's sediment mitigation control measures as well as compliance with the requirements outlined above, as administered by the County Municipal Services Agency and the Regional Board, will ensure that project-related erosion and pollution impacts are ***less than significant***.

LEVEES

Levees are earthen embankments whose primary purpose is to furnish flood protection. Levees are broadly classified as either urban or agricultural because of the different requirements for each. Urban levees provide protection from flooding in the industrial, commercial, and residential areas of communities. Agricultural levees provide protection from flooding in lands used for agricultural purposes. Though a contiguous system of levees may run the entire river length it is actually made up of multiple individual levees with individual identification numbers. There are more than 400 individual levee identification numbers within unincorporated Sacramento County and the incorporated cities.

Each individual levee is assigned a separate certification status and most have an identified entity that is responsible for maintenance. In unincorporated Sacramento County most levees are owned by a Reclamation District; however, some are the responsibility of entities such as Sacramento County, the American River Flood Control District, and the California Department of Water Resources. The levee within the project area is maintained by the California Department of Water Resources.

HYDROLOGY / WATER QUALITY

There are several agencies with jurisdiction over the water bodies, wetlands, floodways, and flood control facilities in the project area. These agencies include: the County of Sacramento, the Sacramento Area Flood Control Agency (SAFCA), the California Department of Fish and Game (CDFG), State Water Resources Control Board (SWRCB) and Regional Water Quality Control Board (RWQCB), the State Reclamation Board, the SLC, and the U.S. Army Corps of Engineers (Corps). Specific conditions of approval and requirements imposed on the project by these agencies may be different from and in addition to mitigation measures adopted pursuant to CEQA.

U.S. ARMY CORPS OF ENGINEERS

The Sacramento River is classified as navigable water of the United States (U.S.) and is subject to Corps jurisdiction. Therefore, actions affecting the river require evaluation and permitting pursuant to Section 10 of the Rivers and Harbors Act and Sections 301, 402, and 404 of the Clean Water Act (CWA) which are administered by the Corps. Section 404 of the CWA regulates the discharge of dredged or fill material in

jurisdictional waters of the U.S., including wetlands, as stated in 33 CFR 328.3[a]; 40 CFR 230.3[s]. The landward limits of deepwater habitat in non-tidal waters are defined by the Ordinary High Water Mark (OHWM). The OHWM is the line on the shore established by the fluctuations of water and indicated by physical characteristics such as a clear, natural line impressed on the bank, shelving, changes in the character of soil, destruction of terrestrial vegetation, the presence of litter or debris, or other appropriate means that consider the characteristics of the surrounding areas.

SWRCB, DIVISION OF WATER QUALITY/RWQCB, CENTRAL VALLEY REGION

The SWRCB and RWQCB review activities that affect water quality and administer requirements mandated by the Clean Water Act (CWA). For the project, the Central Valley RWQCB is responsible for CWA Section 401 water quality certification. Section 401 certification (or waiver thereof) is necessary prior to final issuance of the Section 404 permit from the Corps.

Pursuant to the CWA, as amended, federal regulations promulgated by the EPA require stormwater discharges, specific municipal areas and industrial and construction activities to be authorized by NPDES permits. The Corps permit generally supersedes the NPDES permit for portions of a project which include dredging and/or filling of waters of the U.S., and if RWQCB determines that adequate mitigation measures are in place through the CEQA/County approval process.

THE CENTRAL VALLEY FLOOD PROTECTION BOARD

The Central Valley Flood Protection Board (Board) maintains jurisdiction over all flood control works constructed with funds from federal-State cost-sharing agreements. Generally, jurisdiction extends from a point 10 feet landward of the levee across to a point 10 feet landward on the other side, and includes all portions of the levee and riverbed. The Board requires an encroachment permit for any activity along or near federal flood control project levees and floodways, or in Board-designated floodways to ensure that proposed actions or projects do not impair the integrity of the existing flood control systems. Encroachment permit applications are evaluated according to criteria in designated floodways plans and the Board's Standards for Encroachment. Applications are typically reviewed after necessary environmental review is completed.

STATE LANDS COMMISSION

The SLC has exclusive jurisdiction and ownership of all ungranted tidelands and submerged lands, and the beds of navigable rivers, sloughs, and lakes (Public Resources Code Section 6301). State ownership extends to lands lying below the ordinary high-water mark of tidal waterways and the low-water mark of non-tidal waterways (Civil Code, Section 830). The area between the low-water mark and the ordinary high-water mark of non-tidal waterways is subject to a "public trust easement." The abandoned Sump 119 outfall structures are located within the SLC right-of-way and

present a potential navigational hazard; therefore the SLC has requested that these structures be removed. The SLC will monitor the progress of the project.

DEPARTMENT OF FISH AND GAME

The project will involve work within the Sacramento River, which may change the bed, channel, or bank and may result in waste material being passed into the river; therefore, the project proponent is required to enter into a streambed alteration agreement, pursuant to CDFG Code Sections 1601 – 1603. The agreement will establish measures to protect fish and wildlife during the project, set terms for amendment, termination, renewal, time extensions, and describe CDFG's authority to suspend or revoke the agreement. The agreement is typically formalized after completion of the environmental documents.

PROJECT REQUIREMENTS

Demolition of the piers and bents will occur within an approximately 7,500 square-foot area within the navigable waters of the Sacramento River, approximately 125 feet west of the river bank. The project demolition may include sediment transport minimization strategies, such as encasing the pile with a large diameter steel pipe, installing turbidity curtains, or installing a cofferdam, which will disturb soils and result in a temporary increase in erosion, sedimentation, and turbidity within the Sacramento River.

Demolition activity within the navigable waters of the Sacramento River will require coordination with the regulatory agencies with jurisdiction over those waters as discussed above. The project proponent is required to obtain all appropriate permits prior to initiating any work within the river or river bank.

Mitigation has been recommended to require coordination with regulatory agencies including acquisition of the appropriate permits. Compliance with the requirements of the regulatory agencies discussed above will ensure that impacts related to hydrology and water quality are *less than significant*.

BIOLOGICAL RESOURCES

The Sacramento River contains riparian and upland areas that support willow, cottonwood, valley oak, interior live oak, and blue oak canopy along with a host of other riparian trees. The river and the associated habitat support a variety of wildlife species, including many species listed by the state or the federal government as "special status" (e.g. endangered). The habitat also hosts a variety of other non-special-status wildlife species, including breeding and foraging habitat for birds of prey, perching birds, waterfowl, mammalian predator and prey species, frogs, toads, salamanders, and fish. Issues related to impacts to biological resources are discussed further in the subsequent sections.

RIPARIAN HABITAT

Riparian habitat is characterized by particular groupings of soils, plants, and animals either within a 100-year floodplain or, if a floodplain is absent, by an area fundamentally influenced by a stream or a river. Riparian ecosystems are maintained by high water tables and periodic flooding. There are many subtypes of riparian habitats, but for the purposes of this analysis, only two basic distinctions will be made: riparian woodland, and riparian scrub. Areas described as riparian woodland are dominated or heavily influenced by large riparian trees, while riparian scrub contains trees growing in a shrub-like condition and often includes large herbaceous riparian plants as well. Small grassland areas are typically found in pockets amongst the woodland and scrubland areas. These interstitial (which means, areas found in gaps) grasslands are treated as a functioning part of the riparian area rather than as a separate annual grassland habitat in most cases.

Many plants in riparian environments are adapted to periodic flooding events. The occurrence of this seasonal catastrophic event has driven most dominant trees and woody shrubs to develop deep root systems that anchor the plant in place (such as cottonwood) while others have developed flexible stems that allow the plant to bend in the heavy flows and resume an upright shapes once the flows have subsided (such as willow). The understory of riparian woodland usually contains downed wood and other vegetative detritus washed up during flood events. This flood debris plays an important role in nutrient cycling and is itself an integral part of the habitat. Riparian corridors provide food, water, migration corridors, escape paths, and cover for a variety of wildlife species.

Although demolition is anticipated to occur mostly within the river, staging and equipment storage will be located on the levee adjacent to the river. Limited access for debris removal may also be taken from the levee. Because these activities may result in the removal of riparian habitat, mitigation measures requiring restoration of all disturbed areas have been recommended. With the implementation of these measures impacts related to the removal of riparian habitat are considered ***less than significant***.

TREES

Over the years, a significant number of trees have been removed throughout Sacramento County to facilitate urban development, to accommodate agriculture, to provide fuel wood, or to be milled into building materials. It is clear that with continued urban and rural development, the County's woodlands and the variety of species they support will disappear unless concerted efforts are pursued to protect this valuable resource. Sacramento County has identified the value of its native and landmark trees and has adopted measures in its General Plan to provide for their preservation. All native oak trees are protected under the Conservation Element of the County of Sacramento General Plan. The Conservation Element also requires the preservation of landmark trees, as well as non-oak natives, such as California black walnuts and California sycamores, wherever possible. When preservation of all onsite oaks is not

practical and/or feasible for a proposed development, the conservation policies allow for their removal subject to compensatory replacement plantings.

Many trees are located along the levee adjacent to the project site. Several species of oak trees (valley oaks/*Quercus lobata* and blue oaks/*Quercus douglassii*) along with other riparian trees such as willows and cottonwoods were noted during field investigations conducted by Department of Environmental Review and Assessment (DERA) staff on October 8, 2008 and July 27, 2010. The project proponent has indicated that tree removal will not result from the implementation of the project; however, it is possible that some under-shrub communities and small trees may require removal to provide land access to the work area on the river. Vegetation removal will require compensation through the riparian restoration mitigation discussed above.

Although the location of the access has been identified, the exact route which will be used is unknown at this time. Mitigation measures for tree removal have been recommended as part of the vegetation restoration mitigation discussed above. Protective measures have also been recommended to ensure that trees that are retained on site are not degraded by project activities. Implementation of these mitigation measures will ensure that impacts to native trees are ***less than significant***.

SPECIAL STATUS SPECIES

In enacting the federal and State Endangered Species Acts, the legislatures established a policy to “conserve, protect, restore and enhance any endangered species or any threatened species and its habitat” and “to acquire habitats for these species” (CDFG Code Section 2052). In accordance with the latter declaration, mitigation often relies heavily on setting aside lands for conservation or restoration. For some listed species, there are standard protocols that have been established by the listing authority (CDFG or U. S. Fish and Wildlife Service (USFWS)) that provide guidance for surveys, impact assessments, and mitigation. Where available, the following analysis relies on published protocols.

The federal Endangered Species Act of 1973 (50 CFR 17) provides legal protection for plant and animal species in danger of extinction. The federal Endangered Species Act requires federal agencies to make a finding on all projects that have the potential to jeopardize the continued existence of any listed species potentially impacted by the action. Section 9 of the federal Endangered Species Act prohibits the “take” of any member of an endangered species. “Take” is defined by the act as, “...to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect, or to attempt to engage in any such conduct.” USFWS has further defined the terms “harass” and “harm” to include indirect injury through habitat destruction or modification. Section 10(a) of the federal Endangered Species Act permits the incidental “take” of an endangered species if the take is “incidental to, and not the purpose of, the carrying out of an otherwise lawful activity.”

A query of the CDFG’s California Natural Diversity Database (CNDDB) for the West Sacramento USGS 7.5 minute Quadrangle was conducted to determine which special-

status species had the potential to occur within the vicinity of the project site. The USFWS listing of special status species was also searched for species whose habitat exists within this Quadrangle. These queries revealed habitat for several listed species; however, the project site does not contain suitable habitat for all the species listed.

A review of aerial photographs of the project site and its vicinity and field inspections were conducted by DERA staff to determine if suitable habitat for the identified species was present within the limits of the project. Though elderberry shrubs are known to occur along the Sacramento River none were identified within or adjacent to the project site during the field inspections, therefore the site does not contain habitat for the valley elderberry longhorn beetle. Those species whose habitat exists on the project site or within the immediate vicinity are discussed below.

As a requirement of the Department of Interior, USFWS, the following notification is provided to proponents of any project that has the potential to adversely affect threatened or endangered species:

“The applicant is hereby notified of additional conditions as stipulated by the U.S. Fish and Wildlife Service. Features of the applicant’s project may adversely affect federally listed threatened or endangered species. An applicant must go through one of two processes to obtain authorization to take federally listed species incidental to completing his or her project. One of the processes is formal consultation. When the authorization or funding of a Federal agency is an aspect of a project that may affect federally listed species, section 7 of the Endangered Species Act requires the Federal agency to formally consult with the Service. Formal consultation is concluded when the Service issues a biological opinion to the Federal agency. The biological opinion includes terms and conditions to minimize the effect of take on listed species. The Federal agency must make the terms and conditions of the biological opinion into binding conditions of its own authorization to the project applicant. An example of this process is when the U.S. Army Corps of Engineers consults with the Service prior to issuing a permit to fill jurisdictional waters under Section 404 of the Clean Water Act. The terms and conditions of the biological opinion become binding on the project applicant through the Corps’ 404 authorization. When no Federal funding or authorization is involved in a project, an applicant must prepare a habitat conservation plan and obtain a permit directly from the Service in accordance with section 10(a)(1)(B) of the Act. For additional information on these processes please contact the Endangered Species Division of the U.S. Fish and Wildlife Service’s Sacramento Fish and Wildlife Office at (916) 979-2725.”

NESTING RAPTORS

The project site contains suitable nesting habitat for raptors. Raptors are defined as members of the order Falconiformes (vultures, eagles, hawks, and falcons) and the order Strigiformes (owls). Common species of raptors found locally include: red-tailed hawk (*Buteo jamaicensis*), red-shouldered hawk (*Buteo lineatus*), Swainson’s hawk (*Buteo swainsoni*), American kestrel (*Falco sparverius*), barn owl (*Tyto alba*), and great

horned owl (*Bubo virginianus*). The following raptors are listed as California State Species of Special Concern: northern harrier (*Circus cyaneus*), osprey (*Pandion haliaetu*), merlin (*Falco columbarius*), sharp-shinned hawk (*Accipiter striatus*), Cooper's hawk (*Accipiter cooperi*), prairie falcon (*Falco mexicanus*), ferruginous hawk (*Buteo regalis*), golden eagle (*Aquila chrysaetos*), and burrowing owl (*Athene cunicularia*). American peregrine falcon (*Falco peregrinus anatum*), golden eagle, and white-tailed kite (*Elanus leucurus*) are classified as Fully Protected under California Fish and Game Code Section 3511, 4700, 5050, and 5515. Fully Protected species may not be taken or possessed at any time and no licenses or permits may be issued for their take except for collecting these species for necessary scientific research and relocation of the bird species for the protection of livestock.

Raptors and their active nests are protected by the Fish and Game Code of California (§3503.5, 3511, and 3513). The Code states the following: "It is unlawful to take, possess, or destroy any birds in the orders Falconiformes or Strigiformes (birds of prey) or to take, possess, or destroy the nest or eggs of any such bird." Because most raptors migrate they are also protected by the Federal Migratory Bird Treaty Act of 1918, which states "unless and except as permitted by regulations, it shall be unlawful at any time, by any means or in any manner, to pursue, hunt, take, capture, kill, attempt to take, capture, or kill" a migratory bird. Causing a bird to abandon an active nest may cause harm to egg(s) or chick(s) and is considered "take."

The project site contains mature trees, which provide suitable nesting habitat nesting raptors. The nesting survey, as discussed in the Swainson's hawk section below, will reduce any potential impacts to nesting raptors to ***less than significant***.

SWAINSON'S HAWK

The Swainson's hawk (*Buteo swainsoni*) is listed as a threatened species by the State of California and is a candidate for federal listing as threatened or endangered. It is a migratory raptor typically nesting in or near valley floor riparian habitats during spring and summer months. In addition Swainson's hawk is protected under the federal Migratory Bird Treaty Act of 1918.

Swainson's hawks were once common throughout the state, but various habitat changes, including the loss of nesting habitat (trees) and the loss of foraging habitat through the conversion of native Central Valley grasslands to certain incompatible agricultural and urban uses, have caused an estimated 90% decline in their population.

Swainson's hawks feed primarily upon small mammals, birds, and insects. Their typical foraging habitat includes native grasslands, alfalfa, and other hay crops that provide suitable habitat for small mammals. Certain other row crops and open habitats also provide some foraging habitat. The availability of productive foraging habitat near a Swainson's hawk's nest site is a critical requirement for nesting and fledgling success. In central California, about 85% of Swainson's hawk nests are within riparian forest or remnant riparian trees. CEQA analysis of impacts to Swainson's hawks consists of separate analyses of impacts to nesting habitat and foraging habitat.

The CEQA analysis provides a means by which to ascertain impacts to the Swainson's hawk. When the analysis identifies impacts, mitigation measures are established that will reduce impacts to the species to a less than significant level. Project proponents are cautioned that the mitigation measures are designed to reduce impacts and do not constitute an incidental take permit under the California Endangered Species Act. Anyone who directly or incidentally takes a Swainson's hawk, even when in compliance with mitigation measures established pursuant to CEQA, may violate the California Endangered Species Act.

NESTING HABITAT

For determining impacts to and establishing mitigation for nesting Swainson's hawks in Sacramento County, the CDFG recommends implementing the measures set forth in the CDFG Staff Report Regarding Mitigation for Impacts to Swainson's Hawks (*Buteo swainsoni*) in the Central Valley of California (November 1, 1994). These state that no intensive new disturbances, such as heavy equipment operation associated with construction, should be initiated within ¼ mile of an active Swainson's hawk nest in an urban setting or within ½ mile in a rural setting between March 1 and September 15.

The project site is within 5 miles of the nearest known active Swainson's hawk nest and suitable nesting habitat trees are within the project vicinity (Plate IS-7). Since the project is in the immediate vicinity of trees that provide suitable nesting habitat for the Swainson's hawk and other nesting raptors, if demolition or project-related activities are to occur between March 1 and September 15, a focused survey for Swainson's hawk and other nesting raptor nests on the site and on nearby trees within ¼ mile of the site shall be conducted by a qualified biologist within 14 days prior to the start of demolition work. If active nests are found, CDFG shall be contacted to determine appropriate protective measures. The protective measures required by CDFG will prevent impacts to nesting Swainson's hawks and other nesting raptors. If no active nests are found during the focused survey, no further mitigation will be required.

FORAGING HABITAT

Sacramento County has developed methodology specific to the unincorporated Sacramento County to determine impacts to Swainson's hawk foraging habitat. The new methodology was received and confirmed by CDFG in May of 2006. The new methodology for unincorporated Sacramento County is based on the concept that impacts to Swainson's hawk foraging habitat occur as properties develop to increasingly more intensive uses on smaller minimum parcel sizes. Therefore, the methodology relies mainly on the minimum parcel size allowed by zoning to determine habitat value (Table IS-1). For the purpose of the methodology, properties with zoning of AG-40 and larger maintain 100% of their foraging habitat value and properties with AR-5 zoning and smaller have lost all foraging habitat value. The table below illustrates the continuum between AG-40 and AR-5 that represents the partial loss of habitat value that occurs with fragmentation of large agricultural land holdings. The large, 50% loss of habitat value between AG-20 and AR-10 is due to the change in land use from general agriculture to agricultural-residential.

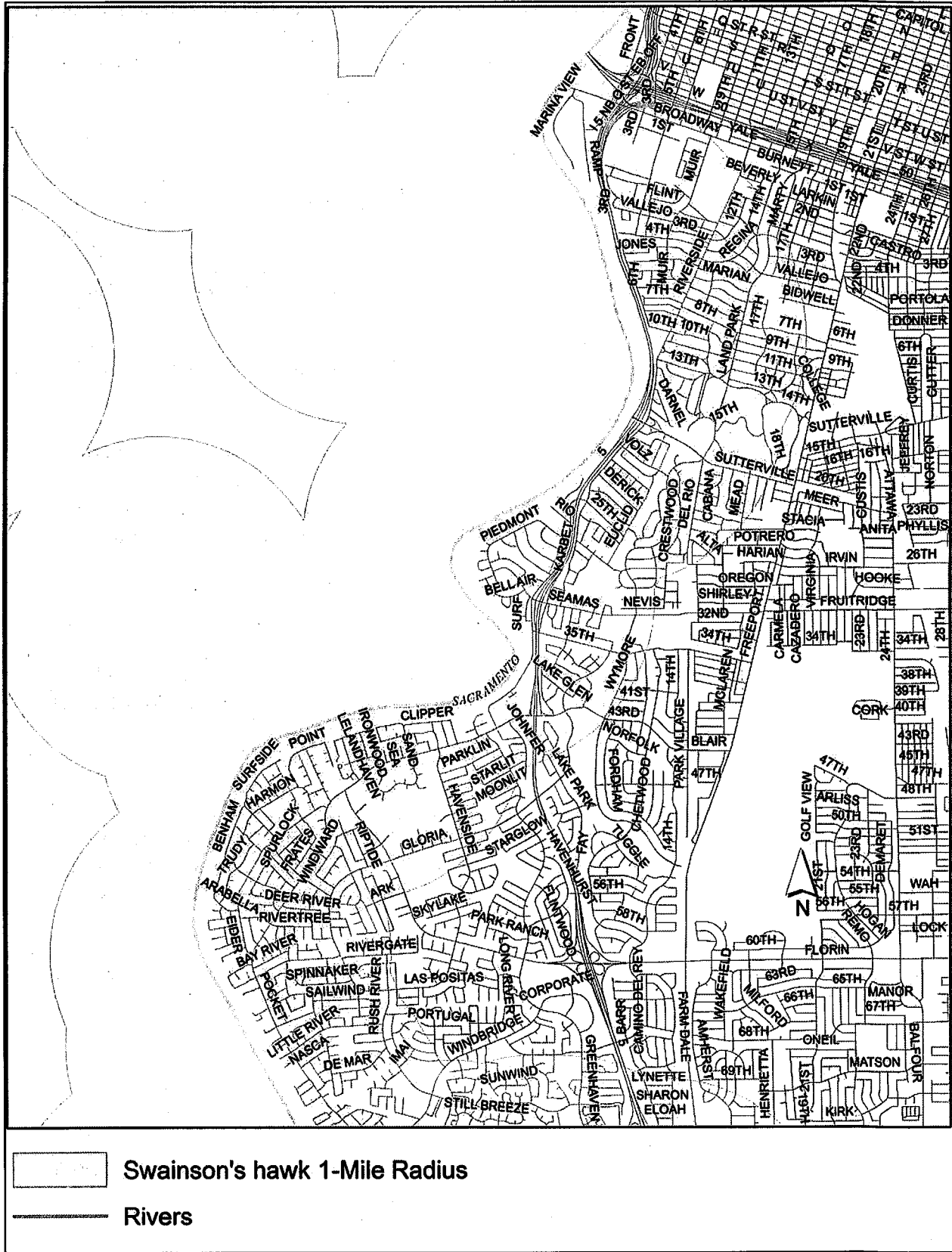
Table IS-1: Swainson's Hawk Foraging Habitat Value by Zoning Category

Zoning Category	Habitat Value Remaining
<ul style="list-style-type: none"> • AG-40 and above (e.g., AG-80, 160 etc.) 	<ul style="list-style-type: none"> • 100%
<ul style="list-style-type: none"> • AG-20 	<ul style="list-style-type: none"> • 75%
<ul style="list-style-type: none"> • AR-10 	<ul style="list-style-type: none"> • 25%
<ul style="list-style-type: none"> • AR-5 and smaller (e.g., AR-2, 1 or RD-5, 7, 10, 15, 20 etc.) 	<ul style="list-style-type: none"> • 0%

Based on the methodology outlined above, the project site does not provide foraging habitat. The project site does not identify with the foraging habitat characteristics previously discussed as the site is partially within the submerged waters of the Sacramento River and the upland areas are covered with heavy underbrush.

The mitigation requiring that nesting surveys are conducted will ensure that impacts to Swainson's hawks and other nesting raptors are ***less than significant***.

Plate IS-7: Swainson's Hawk Nests



FISH

Sacramento River supports several special status fish species and their critical habitat. Fish species known to occur or presumed present as identified by NMFS include Sacramento River winter-run Chinook salmon, Central Valley spring-run Chinook salmon, Central Valley steelhead, and green sturgeon.

CENTRAL VALLEY CHINOOK SALMON

There are three distinct races of Chinook salmon (*Oncorhynchus tshawytscha*) that inhabit the Sacramento River, lower American River, and unrestricted tributaries: the winter-run (federally listed and Californian State Endangered Species), spring-run (federally listed Threatened), and fall-run (federally listed Species of Special Concern). Each race has its own legal status that is designated based on the time of year they spawn. The entire Sacramento River downstream from Keswick Dam is identified as either spawning area or rearing habitat, and it is designated as Critical Habitat under the federal Endangered Species Act for the spring and winter run.

Spawning occurs in the Sacramento River below Keswick Dam. After eggs hatch, young salmon begin to grow and make their way downstream to the San Francisco Estuary and the Pacific Ocean. During their migration downstream, the juvenile salmon prefer shallow near shore habitat for cover as they grow in size and complete their emigration.

CENTRAL VALLEY STEELHEAD

Steelhead trout (*Oncorhynchus mykiss*) is a federally-listed Threatened species that inhabits the Sacramento-San Joaquin river and delta system. Critical habitat has been designated within Sacramento County on the Sacramento River, American River, Mokelumne River, and Dry Creek (both north and south creeks).

Steelhead live in the ocean and migrate to accessible reaches in their natal streams to spawn. Accessible reaches are those within the historical range of the fish that can still be occupied by any life stage of salmon or steelhead. In California, peak spawning occurs from December through April in small streams and tributaries with cool, well-oxygenated water.

The steelhead trout's peak migration period is from November through May if high water conditions exist. Emigrating juveniles may use floodplains when it becomes inundated.

GREEN STURGEON

The southern population of green sturgeon (*Acipenser medirostris*) was federally listed on April 7, 2006 as Threatened. Currently, the only known breeding population of southern green sturgeon is in the Sacramento River. Green sturgeon can be found in the San Francisco Bay and Delta. Significant green sturgeon habitat was probably altered or made inaccessible by dam construction on the Sacramento River.

Southern green sturgeon are threatened by water diversions, export of fresh water from the Delta and Sacramento-San Joaquin Rivers, and proposed increases in water withdrawals; impaired water quality from pesticides and other pollutants; competition, and predation from introduced species. Sturgeon are highly vulnerable to overfishing because of the long time it takes them to reach breeding maturity. Sturgeon populations in the Columbia and the Sacramento-San Joaquin systems were severely depleted by unrestricted commercial fishing in the late 1800s, prompting California to close the sturgeon fishery from 1916 until 1955.

In 2006, the California Fish and Game Commission adopted emergency sturgeon fishing regulations to protect sturgeon in the Sacramento-San Joaquin River system. The regulations prohibit anglers statewide from catching and keeping any green sturgeon.

IMPACTS

All fish with swim bladders are particularly prone to pulses of high pressure since high pressure impulses are immediately followed by under-pressure impulses that result in the swim bladder expanding very rapidly. The main species of concern are salmonids. The Federal Highway Administration, NOAA Fisheries, USFWS, along with the Departments of Transportation from California, Oregon, and Washington, and national experts on sound propagation activities that affect fish and wildlife species of concern have agreed upon Interim Criteria for Injury to Fish from Pile Driving. These guidelines identify sound pressure levels of 206 dB peak noise level and 187 dB accumulated sound exposure level (SEL) for all listed fish except those that are less than 2 grams, in which case the criteria for the accumulated SEL is 183 dB.

Sound pressure level measurements were taken during pile driving activities for the Hazel Avenue Widening Project – Madison Avenue to U.S. 50 (Control Number 2000-0594). The peak noise level roughly averaged 210 dB and the accumulated SEL roughly averaged 202 dB. These measurements provide a general idea of the expected noise level for the proposed demolition project; however, the measurements were taken on the American River, which has a rocky bottom whereas the proposed project is located on the Sacramento River, which has a muddy bottom. The muddy bottom is expected to be quieter than the rocky bottom.

The project proposes to remove the in-river structures by first removing the concrete blocks and then using a clamp and vibratory extractor to remove the piles. The sound pressure levels associated with the vibratory extractor are not expected to exceed the agreed upon standards; however, if extraction of the piles is not possible using this method the structures will be cut and abandoned in place. This scenario may require pile driving for installation of a cofferdam which could result in sound pressure waves in excess of the agreed upon standards.

Conservative estimates based on observations in Puget Sound suggest that adult and juvenile salmonids may avoid habitats within 600 meters of a noise source. This estimate does not account for specific on-site variables such as river flow and riverbank

morphology, which may reduce the actual distance. NMFS anticipates that pile driving that occurs when listed salmonids are present will be detectable up to 600 meters from the source, and that the sounds generated will harass juvenile salmon and steelhead by causing injury from temporary disruption of normal behaviors such as feeding, sheltering, and migrating. Disruption of these behaviors may also lead to increased predation if fish become disoriented or concentrated in areas with high predator densities. These effects should be small because pile driving will occur during the day, enabling unhindered fish passage at night during peak migration times. Additionally, given the limited and intermittent use of the hammers (i.e., expected to be hours or days) the magnitude of potential adverse effects is expected to be low. Demolition activities will occur during the Sacramento River in-water work window (June 15 – October 15) which avoids periods when migration and spawning are expected; therefore fish presence is not likely.

The project does not propose any barriers that would prevent migrating fish from moving away from demolition activities; however, it is possible that migrating fish will be exposed to harmful sound pressure waves. The demolition work within the Sacramento River will require a permit from the Corps. The Corps permit will include compliance with NMFS recommendations which typically include noise monitoring and measures to reduce impacts to listed fish species. NMFS has reviewed the proposed project and provided preliminary comments. Mitigation has been included to ensure compliance with the provided NMFS recommendations as well as any other recommendations identified during the permitting process. Mitigation requiring a fish salvage plan has also been recommended.

Additionally, the project has the potential to temporarily affect water quality in the Sacramento River, which may impact the listed fish species described above. Implementation of the BMP's and water quality and erosion control mitigation measures discussed in the Stormwater Pollution and Erosion/Sediment Control section of this document will reduce these impacts to less than significant.

Compliance with the measures discussed above will ensure that impacts to listed fish are ***less than significant***.

CULTURAL RESOURCES

Under CEQA, lead agencies must consider the effects of their projects on historical resources. The California Environmental Quality Act (CEQA) defines a "historical resource" as a resource listed in, or determined to be eligible for listing in, the California Register of Historical Resources (CRHR), a resource included in a local register of historical resources, and any object, building, structure, site, area, place, record, or manuscript which a lead agency determines to be historically significant (Section 15064.5[a] of the Guidelines). Public Resources Code (PRC) Section 5024.1 requires that any properties that can be expected to be directly or indirectly affected by a proposed project be evaluated for CRHR eligibility. According to PRC Section 5024.1(c)(1–4), a resource may be considered *historically significant* if it retains integrity

and meets at least one of the following criteria. A property may be listed in the CRHR if the resource:

1. Is associated with events that have made a significant contribution to the broad patterns of California's history and cultural heritage;
2. Is associated with the lives of persons important in our past;
3. Embodies the distinctive characteristics of a type, period, region or method of installation, or represents the work of an important creative individual, or possesses high artistic values; or
4. Has yielded, or may be likely to yield, information important in prehistory or history.

As noted above, in order to be considered eligible, a resource must meet one of the above stated criteria and also retain integrity. Integrity has been defined by the National Park Service as consisting of seven elements: location, design, setting, materials, workmanship, feeling, and association.

In order to determine whether the proposed project could impact a historical resource, a cultural resources assessment for the proposed project was conducted by PAR Environmental Services, Inc. The following analysis contains portions of, and is based on, this review (Citation: PAR Environmental Services, Inc. August 2010. *A Cultural Resources Inventory of the Proposed Sump 119 Outfall Demolition Project, Sacramento County, California*).

CULTURAL CONTEXT

ETHNOGRAPHIC SETTING

The project area falls within the ethnographic territory of the Valley Nisenan. The Nisenan are speakers of a language related to Maidu and Konkow, which collectively are considered Maidu languages. These languages and others found in the Pacific Northwest have been classified as members of the hypothetical Penutian language family. Nisenan speaking people occupied the eastern side of the central and lower Sacramento Valley from below the confluence of the American and Sacramento Rivers in the south to the Feather River at Marysville in the north and the adjoining foothills and mountains of the Sierra Nevada. Nisenan society was organized around the village community referred to occasionally as a "tribelet" or "community group". These organizations were generally composed of one or more settlements that were typically occupied by related family groups. Leadership is thought to have been largely patrilineal and heritable, passed usually from father to son, but occasionally when no suitable son was available as an heir, to another relative.

Nisenan subsistence was based upon "naturally" occurring resources including a broad spectrum of plants, animals and fish. Evidence indicates that many Californian groups,

including the Maiduan-speaking people, used limited proto-agricultural or horticultural practices including chaparral, range and forest burning, plant tending, transplanting, weeding, and even some limited cultivation and planting (especially tobacco). The observation has been made that the burning of range land and woodland may have served as a form of game management or possibly even a kind of herding or baiting technique.

HISTORICAL SETTING

The project vicinity is situated at a bend in the Sacramento River, south of the city. Historically, this area was known for the town of Sutterville, a shipping point for local ranches and farms. Products were shipped up and down the river by barge to markets in Sacramento and San Francisco.

Between 1839 and 1846 John Sutter established his rancho and fort on nearly 50,000 acres of land. "New Helvetia" included the project site. In 1844, Sutter laid out a townsite about two miles below the Sacramento River embarcadero, calling the community "Sutterville". The location was on a natural rise next to the river and the town flourished as a friendly rival to Sutter's Fort for a number of years. One of the first brick structures in California was built on the site by George Zins in 1847. Sutterville declined after 1848, when thousands of miners entering the gold country bypassed the settlement in favor of the growing Town of Sacramento, located at the old embarcadero two miles upstream.

Unfortunately, the river and Sacramento itself was subject to winter and spring flooding, resulting in the loss of life and property in 1850 and again in 1861. A series of levees were constructed on the north and west (and eventually south) boundaries of the city and the commercial district was raised 14 feet with fill material over the years. Levees also extended downstream to protect the growing fruit orchards along the river. Railroad tracks often topped the levees out of necessity and convenience; some levees were actually constructed by the railroad companies themselves to provide level grade and continued operations in periods of flood. This was true of the railroad tracks on the levee in the project area between Front Street and the river north of R Street.

Reclamation of land along the river began in force during the late 1860s and early 1870s and opened up new agricultural opportunities along the river. A map of the Da Rosa Marina area dated 1894 indicates that land along the river from Sacramento to Freeport was planted in fruit orchards, vegetables and alfalfa. Da Rosa Fruit Company incorporated in 1926 for the purpose of "growing, buying, selling, dealing in, packing, and distributing fruits, nuts, etc". It is likely that the company used a wharf at Oak Hall Bend for their distribution and shopping efforts. The Sacramento County side of the river was within Reclamation District 535, later changed to District 673, while the Yolo County side was included in District 900.

By 1934 a small community, called Riverside, was established in the Da Rosa Marina vicinity. It is possible that the original piers and headquarters for the marina were built in conjunction with Riverside to serve fisherman and recreationalists on the river.

Although depicted on the 1949 and 1967 topographic quadrangle maps of the area as berths and a structure, a combination of fire and flood destroyed the marina and headquarters building. Growth of the City of Sacramento gradually absorbed the community of Riverside with recent development.

THE RIVERFRONT

The Sacramento waterfront area remained an important component of the regional transportation network well into the mid-1900s. In 1856, the Sacramento Valley Railroad (SVRR) completed its track between the waterfront in Sacramento and the new town of Folsom in eastern Sacramento County. This railroad, the first commercial railroad west of the Mississippi, added trains to the transportation links on the new levees along the river and R Street. Freight bound for the placer gold and silver mines as far east as Nevada was shipped up the river from San Francisco to wharves in Sacramento, then transferred to trains heading to Folsom. With completion of the Central Pacific Railroad (CPRR) to Roseville in 1864, the waterfront freight houses became even more prominent. They grew still busier in 1869 when the CPRR became a true transcontinental railroad.

Steamboat transportation began replacing sailing vessels on the river by the 1870s and provided another link for passengers and suppliers to the CPRR terminus in Sacramento. Docks extended into the river at numerous locations along the banks, erected for both commercial and industrial ventures. Da Rosa Marina, located at the Oak Hall Bend, likely served as a shipping point during this times for locally grown grains, fruit and produce.

Shipwrecks occurred all along the waterfront and up and down the river. One underwater sonar study conducted in 1986 identified 18 possible shipwreck sites along the Sacramento waterfront from R Street to I Street, most at the old embarcadero near Front and J streets. Additional surveys were conducted in 2009 along the majority of the river, including the project area.

LEVEES ALONG THE SACRAMENTO RIVERFRONT

Sacramentans started building levees to protect the city almost immediately after the first floods in the 1850s. The city site is located near the confluence of two major northern California rivers, the Sacramento and the American. In addition, major portions of the city lie below winter high river levels, creating a natural flooding area. Between 1854 and 1880 the majority of levee building projects were executed south along the river, passing Da Rosa Marina to provide protection for orchards, farms and dairies.

The levees continue to be important infrastructure elements throughout the Sacramento Valley. Today the COE works continually to maintain their safety, which has resulted in significant changes to the historic levees. In the project area, the addition of soils, riprap and other modification has made the levee a thoroughly modern structure.

AREA OF POTENTIAL EFFECT

As part of the process of evaluating cultural resources impacts of the proposed project, and for the purpose of satisfying the requirements of Section 106 of the National Historic Preservation Act (NHPA), SRCSD proposed an Area of Potential Effect (APE). Compliance with Section 106 of the NHPA will be required given that the proposed project requires the issuance of a federal permit from the U.S. Army Corps of Engineers. Although the establishment of an APE is not a requirement of CEQA it is considered the area within which the processes of carrying out a project may have direct or indirect effects upon historical properties and cultural resources. Thus, the APE was utilized as the basis for the CEQA analysis included below.

PRE-FIELD AND FIELDWORK RESEARCH AND METHODOLOGY

Research for this project was conducted in two phases. The first phase consisted of an archival search of available records, repositories and other sources of information applicable to the project area. The second phase consisted of fieldwork; project personnel conducted a survey of the project area to inventory any historic or archaeological resources. The two phases of research are discussed below.

ARCHIVAL RESEARCH

A record search was performed at the North Central Information Center (NCIC) of the California Historical Records Information System to identify known resources in the project area. The record search indicated that there have been 11 cultural resources studies conducted within a quarter-mile radius of the project site. The results of the archival research are summarized by PAR as follows:

The nearest prehistoric site, King Brown Site (CA-SAC-29), is on the north side of Seamas Avenue outside of the project APE. This site has been the subject of numerous excavations and studies by Sacramento Junior College (1930s) and Sacramento State University (1960s). Da Rosa Marina has been surveyed and research has been conducted on the navigational obstructions in the river. The wharf and piers in the river were mentioned in the resulting reports by the Institute for Western Maritime Archaeology and PAR. The levee within the APE was part of a levee repair study conducted in 2008.

Historical archaeological resources are known to be present within or adjacent to the project APE, or within one-eighth mile. Resources present are likely to relate to industrial and commercial structures and operations. Side-scan sonar studies along the river indicate as many as 18 underwater features that may be historic shipwrecks along the Sacramento waterfront. Additional surveys using sonar and magnetometers were conducted by Panamerican Consultants under contract to the COE in fall 2009. No targets were identified within the project APE. Nearby targets were identified as landings, abandoned landings, pipe and the old marina.

Overall the, NCIC noted that there was a moderate potential for prehistoric or ethnohistoric period resources and a low-to-moderate potential for historic period cultural resources to be discovered within the project APE.

FIELDWORK

Based on the above noted sensitivities for cultural resources and recommendations from the NCIC, a Cultural Resources Study was performed on the project site. DERA enlisted PAR Environmental Services to complete the necessary cultural resources assessment. The cultural resources assessment included consultation with the Native American Heritage Commission (NAHC) and interested organizations and parties.

On July 14, 2010, Senior Archaeologist John Dougherty conducted a field inspection of the project APE, in which the APE was surveyed using transect intervals no greater than 5 meters apart. The maximum physical footprint of the project site was surveyed. Structures were photographed from multiple angles and documented on State of California Department of Parks and Recreation (DPR 523 forms).

The results of the survey are summarized below.

ARCHAEOLOGICAL RESOURCES

No prehistoric resources were identified within or adjacent to the project APE. Two potential historical resources were identified and recorded. These resources include remnants of the Da Rosa marina dock and concrete bents and dolphin piers that supported a sewer outfall pipe. The features were identified as the remains of a wharf and pier and as a wood support structures and a dolphin. These two resources appear to lack integrity. Similar piers and posts occur up and down the Sacramento River. The Da Rosa Marina did not play an important role in Sacramento's shipping history and the remnant piers and posts in the river do not represent unusual or unique engineering design. As such, these features do not appear eligible for inclusion in the National Register of Historical Places or the California Register of Historic Resources and they are not considered historical resources for the purposes of CEQA.

BUILT ENVIRONMENT RESOURCES

The segment of the Sacramento Levee within the project APE is the result of a series of levees construction projects that were implemented over time. The levee is a man-made earthen embankment roughly 20 feet above ground and covered with riprap on its west face. In 2006, the Army Corps of Engineers evaluated the Sacramento levee system as follows:

Although the overall Sacramento levee system may be eligible for listing on the NRHP due to its association with flood management and agriculture in the Sacramento Valley, it is not associated with any significant person, nor does it embody any particular distinct architectural characteristics of design, artistry or materials. It is also not likely to yield any information important in prehistory or

history. Although the overall Sacramento levee system may be eligible for listing on the NRHP under Criteria A, it does not meet the standards of integrity for eligibility or listing.

The Sacramento levee system is in a constant state of alteration. Since its construction, numerous repairs and maintenance have been completed on various sections of the levee. This includes, but is not limited to, the following: construction of the Walnut Grove Branch Line Railroad in 1909, addition of crib walls in the 1920s, train and tree retards in the 1930s, wells in 1957, concrete rubble on the waterside of the levee in the 1970s, a paved bike path on the levee crown in 1982, severe erosion scouring since construction, slurry walls in 1991, and numerous unknown alterations, such as concrete stairs, boat ramps, and planting of trees and gardens done by local residents who live on the landside of the levee.

Based on the ACOE assessment, the segment of the levee in the project area does not appear to maintain sufficient integrity to be considered an historic resource.

CULTURAL RESOURCES IMPACT CONCLUSION

There were no significant prehistoric, ethnohistoric or historic period resources discovered within the limits of the project's APE. As always, there is the potential for the existence of buried archaeological materials within the project area. CEQA requires that lead agencies protect both known and unknown cultural resources; therefore, mitigation is recommended to ensure that in the event that cultural resources are discovered on the project site during implementation phases that all work shall be halted until a qualified archaeologist may evaluate the resource encountered.

With mitigation, environmental impacts to potentially sensitive cultural resources are considered **less than significant**.

ENVIRONMENTAL MITIGATION MEASURES

Mitigation Measure F is critical to ensure that identified significant impacts of the project are reduced to a level of less than significant. Pursuant to Section 15074.1(b) of the CEQA Guidelines, each of these measures must be adopted exactly as written unless both of the following occur: (1) A public hearing is held on the proposed changes; (2) The hearing body adopts a written finding that the new measure is equivalent or more effective in mitigating or avoiding potential significant effects and that it in itself will not cause any potentially significant effect on the environment.

MITIGATION MEASURE A: FLOODING, WATER QUALITY AND EROSION CONTROL

The applicant shall prepare and implement an erosion control and water quality protection plan that will be subject to the review and approval of the County Department of Water Resources. The Plan shall include, but not be limited to, the following measures to protect water quality during construction:

1. Construction activities within the area of the Ordinary High Water Mark (OHWM) line shall be limited to the period from May 30th to October 1st of each construction year.
2. Construction activities that occur between October 15 and May 15 within the floodplain, but above the OHWM, shall be limited to those actions that can adequately withstand high river flows without resulting in the inundation of and entrainment of materials in floodflows.
3. Stockpiling of construction materials, including portable equipment, vehicles and supplies, including chemicals, will be restricted to the designated construction staging areas and exclusive of the wetlands avoidance areas.
4. Equipment and vehicle operated within the floodplain shall be checked and maintained daily to prevent leaks of fuels, lubricant or other fluids to the river.
5. If sheet metal cofferdams are used for areas of extended in-water work, pumped water will be routed to either: (1) a sedimentation pond located on a flat stable area above the OHWM that prevents silt-laden runoff to enter the river; or, (2) a sedimentation tank/holding facility that allows only clear water to return to the river and includes disposal of settled solids at an appropriate off-site location.
6. Litter and construction debris shall be removed from below the OHWM line daily, and disposed of at an appropriate site. All litter, debris and unused materials, equipment or supplies shall be removed from construction staging areas above OHWM at the end of each summer construction season.
7. Woody vegetation shall be cut only in the minimum area required to provide access or permanent footprint space. Where possible, vegetation will be cut rather than grubbed out, to allow for vegetative regeneration and to facilitate soil protection and stabilization.

MITIGATION MEASURE B: REGULATORY COMPLIANCE

Coordinate and comply with the requirements of all agencies with jurisdiction over the subject property, including, but not limited to, acquisition and implementation of the all applicable permits from the U. S. Army Corps of Engineers, the Central Valley Flood Protection Board, and the Department of Fish and Game. A copy of the required

permits shall be submitted to the Department of Environmental Review and Assessment for verification.

MITIGATION MEASURE C: RIPARIAN HABITAT

In order to compensate for the potential loss of riparian habitat located adjacent to the Sacramento River, the following mitigation is required:

1. Prior to the commencement of demolition or other work that requires the removal of riparian habitat, the project proponent shall prepare a re-vegetation plan for the altered channel, consistent with General Plan Policies CO-62 and CO-112, which restores Sacramento River riparian habitat. The plan shall include inch for inch replacement for the removal of any native oak tree.
2. The re-vegetation plan shall be prepared by a qualified biologist or botanist and provide quantifiable success criteria and include at least a one year monitoring and adaptive management program. The plan shall be subject to the approval of the DERA.
3. Any mitigation required by the state or federal permitting agencies that compensates for the loss of riparian vegetation, functions and values and that provides for a native re-vegetation plan consistent with or exceeding the requirements of measure 1 above shall be deemed mitigation sufficient to reduce impacts to a less than significant level and may be utilized in place of items 1 and 2 above.

MITIGATION MEASURE D: OAK AND RIPARIAN TREE PROTECTION

With the exception of the trees removed and compensated for through Mitigation Measure C, above, all native oak and riparian trees located within the limits of the project, all portions of adjacent off-site native oak and riparian trees that are 6 inches dbh or larger which have driplines that extend onto the project site, and all off-site native oak and riparian trees that are 6 inches dbh or larger which may be impacted by work associated with this project, shall be preserved and protected as follows:

1. A circle with a radius measurement from the trunk of the tree to the tip of its longest limb shall constitute the dripline protection area of the tree. Limbs must not be cut back in order to change the dripline. The area beneath the dripline is a critical portion of the root zone and defines the minimum protected area of the tree. Removing limbs which make up the dripline does not change the protected area.
2. Chain link fencing or a similar protective barrier shall be installed one foot outside the driplines of the trees prior to initiating project construction, in order to avoid damage to the trees and their root system. When areas under the tree canopy cannot be fenced, a temporary ground covering is required and shall cover the root zone and remain in place at the specified thickness until project activity within the root zone has been completed. The protective ground cover shall

consist of shredded wood chips spread over the roots at a minimum of 6-inches in depth (keeping the trunk clear of chips), and layered by ¾-inch gravel to stabilize the ¾-inch plywood sheets or steel plates laid on top.

3. No signs, ropes, cables (except cables which may be installed by a certified arborist to provide limb support), or any other items shall be attached to the trees.
4. With the exception of driplines located along the existing levee road, no vehicles, construction equipment, mobile home/office, supplies, materials, or facilities shall be driven, parked, stockpiled, or located within the driplines of the trees.
5. Any soil disturbance (scraping, grading, trenching, and excavation) is to be avoided within the driplines of the trees. Where this is necessary, an ISA Certified Arborist will provide specifications for this work, including methods for root pruning, backfill specifications, and irrigation management guidelines.
6. Drainage patterns on the site shall not be modified so that water collects or stands within, or is diverted across, the dripline of the trees.
7. No sprinkler or irrigation system shall be installed in such a manner that it sprays water within the driplines of the trees.
8. Tree pruning that may be required for clearance during construction must be performed by an ISA Certified Arborist or Tree Worker and in accordance with the American National Standards Institute (ANSI) A300 pruning standards and the International Society of Arboriculture (ISA) "Tree Pruning Guidelines".
9. Landscaping beneath the trees may include non-plant materials such as boulders, decorative rock, wood chips, organic mulch, non-compacted decomposed granite, etc. Landscape materials shall be kept two (2) feet away from the base of the trunk. The only plant species which shall be planted within the driplines of the trees are those which are tolerant of the natural semi-arid environs of the trees. Limited drip irrigation approximately twice per summer is recommended for the understory plants.
10. Any fence/wall that will encroach into the dripline protection area of any protected tree shall be constructed using grade beam wall panels and posts or piers set no closer than 10 feet on center. Posts or piers shall be spaced in such a manner as to maximize the separation between the tree trunks and the posts or piers in order to reduce impacts to the trees.

**MITIGATION MEASURE E: SWAINSON'S HAWK AND OTHER RAPTORS
NESTING HABITAT**

If demolition or project-related activities are to occur between March 1 and September 15, a focused survey for Swainson's hawk and other raptor nests on the site and on

nearby trees shall take place within ¼ mile of the site, and shall be conducted by a qualified biologist within 14 days prior to the start of demolition work (including clearing and grubbing). If active nests are found, the DERA and the CDFG shall be contacted to determine appropriate protective measures. If no active nests are found during the focused survey, no further mitigation will be required.

MITIGATION MEASURE F: CHINOOK SALMON, STEELHEAD, AND GREEN STURGEON

Develop and implement a fish salvage and rescue program (Program) that will help reduce direct take of fishes during cofferdam placement, dewatering, and under any debris or spill clean-up operations. The Program shall require participation by a qualified fish biologist with all required ESA permits to oversee field operations, salvage activities, and determine suitable time(s) and location(s) of release for rescued fish.

The following measures are from the initial correspondence from NMFS and shall be incorporated as mitigation along with any additional measures identified during the permitting process unless those additional measure supersede those listed below.

1. Use a silt curtain/fence around the in-water work area to minimize turbidity and sedimentation. In addition, use Best Management Practices to reduce water quality impacts. Equipment should be refueled and serviced at designated construction staging areas. All construction material should be stored and contained in a designated area that is located away from channel areas to prevent transport of materials into the adjacent river. The preferred distance is a minimum of 100 feet from the wetted width of a stream. A silt fence should be installed to collect any discharge, and adequate materials for spill cleanup should be kept on site. Construction vehicles and equipment should be maintained to prevent contamination of soil or water from external grease and oil or from leaking hydraulic fluid, fuel, oil, and grease.
2. Activities conducted in and near the active channel should be limited to the period between June 15 and October 15. This is a period of the year when weather conditions are generally dry and NMFS' ESA-listed species are least likely to occur in the project area.
3. All disturbed soils at each site should undergo erosion control treatment prior to October 15 and/or immediately after construction is terminated. Treatment includes temporary seeding and sterile straw mulch. Any disturbed soil on a gradient of over 30 percent should have erosion control blankets installed. Permanent vegetation and tree replanting should take place in small openings in the erosion control blanket. Native species shall be used for replanting and restoration on the project site.
4. Shaded riverine aquatic (SRA) habitat or natural woody riparian habitat should be avoided and preserved to the maximum extent practicable. Where impacts to riparian and SRA habitats are unavoidable replanting of native woody riparian

species should be implemented at 3:1 ratio on an area or linear foot basis, as appropriate. The success of replanting is measured as 100 percent or greater replacement of impacted vegetation after three years.

MITIGATION MEASURE G: CULTURAL RESOURCES – UNANTICIPATED DISCOVERIES

If subsurface deposits believed to be cultural or human in origin are discovered during construction, then all work must halt within a 200-foot radius of the discovery. A qualified professional archaeologist, meeting the Secretary of the Interior's Professional Qualification Standards for prehistoric and historic archaeology, shall be retained at the Applicant's expense to evaluate the significance of the find. If it is determined due to the types of deposits discovered that a Native American monitor is required, the Guidelines for Monitors/Consultants of Native American Cultural, Religious, and Burial Sites as established by the Native American Heritage Commission shall be followed, and the monitor shall be retained at the Applicant's expense.

Work cannot continue within the 200-foot radius of the discovery site until the archaeologist conducts sufficient research and data collection to make a determination that the resource is either 1) not cultural in origin; or 2) not potentially eligible for listing on the National Register of Historic Places or California Register of Historical Resources.

If a potentially-eligible resource is encountered, then the archaeologist, DERA, and project proponent shall arrange for either 1) total avoidance of the resource, if possible; or 2) test excavations or total data recovery as mitigation. The determination shall be formally documented in writing and submitted to DERA as verification that the provisions of CEQA for managing unanticipated discoveries have been met.

In addition, pursuant to Section 5097.97 of the State Public Resources Code and Section 7050.5 of the State Health and Safety Code, in the event of the discovery of human remains, all work is to stop and the County Coroner shall be immediately notified. If the remains are determined to be Native American, guidelines of the Native American Heritage Commission shall be adhered to in the treatment and disposition of the remains.

MITIGATION MEASURE COMPLIANCE

Comply with the Mitigation Monitoring and Reporting Program for this project, including the payment of 100% of the Sacramento County Department of Environmental Review and Assessment staff costs, and the costs of any technical consultant services incurred during implementation of that Program.

INITIAL STUDY PREPARERS

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INITIAL STUDY CHECKLIST

FOR SUMP 119 OUTFALL DEMOLITION

CONTROL NUMBER: 2008-70109

This checklist identifies physical, biological, social and economic factors that might be affected by the proposed project. The words "significant" and "significance" used throughout the following checklist are related to impacts as defined by the California Environmental Quality Act.

Initial Study Checklist

	Potentially Significant ¹	Less Than Significant with Mitigation ²	Less Than Significant or No Impact ³	Comments
<p>a. Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including but not limited to a general plan, specific plan or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?</p> <p>b. Physically disrupt or divide an established community?</p>			<p>X</p>	<p>The project is consistent with the environmental requirements of all applicable land use plans and policies.</p> <p>The project will not create physical barriers that substantially limit movement within or through the community.</p>
<p>a. Induce substantial unplanned population growth in an area either directly (e.g., by proposing new homes and businesses) or indirectly (e.g., through extension of infrastructure)?</p> <p>b. Displace substantial amounts of existing housing, necessitating the construction of replacement housing elsewhere?</p>			<p>X</p>	<p>The project does not propose new unplanned homes, businesses or extension of infrastructure.</p> <p>The project will not result in the removal of existing housing, and thus will not displace substantial amounts of existing housing.</p>
<p>a. Convert Prime Farmland, Unique Farmland, Farmland of Statewide Importance or areas containing prime soils to uses not conducive to agricultural production?</p> <p>b. Conflict with any existing Williamson Act contract?</p> <p>c. Introduce incompatible uses in the vicinity of existing agricultural uses?</p>			<p>X</p>	<p>The project site is not designated as Prime Farmland, Unique Farmland, or Farmland of Statewide Importance on the current Sacramento County Important Farmland Map published by the California Department of Conservation. The site does not contain prime soils.</p> <p>No Williamson Act contracts apply to the project site.</p> <p>The project does not occur in an area of agricultural production.</p>

	Potentially Significant ⁱ	Less Than Significant with Mitigation ⁱⁱ	Less Than Significant or No Impact ⁱⁱⁱ	Comments
a. Substantially alter existing viewsheds such as scenic highways, corridors or vistas?			X	The project site is on the Sacramento River and involves the removal of existing obstructing man-made structures. Land access to the river bank may result in vegetation removal; however, restoration of all disturbed sites will ensure the viewshed is not substantially altered. Also, the removal of the outfall structures will enhance the views of the Sacramento River and provide a safe overlook of the river.
b. Substantially degrade the existing visual character or quality of the site and its surroundings?			X	The project will not substantially degrade the visual character or quality of the project site.
c. Create a new source of substantial light, glare, or shadow that would result in safety hazards or adversely affect day or nighttime views in the area?			X	The project would not result in substantial new sources of light, glare, or shadow.
a. Result in a safety hazard for people residing or working in the vicinity of an airport/airstrip?			X	The project occurs outside of any identified public or private airport/airstrip safety zones.
b. Expose people residing or working in the project area to aircraft noise levels in excess of applicable standards?			X	The project occurs outside of any identified public or private airport/airstrip noise zones or contours.
c. Result in a substantial adverse effect upon the safe and efficient use of navigable airspace by aircraft?			X	The project does not affect navigable airspace.
d. Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?			X	The project does not involve or affect air traffic movement.
a. Have an adequate water supply for full buildout of the project?			X	The project will not result in increased demand for water supply.

	Potentially Significant ⁱ	Less Than Significant with Mitigation ⁱⁱ	Less Than Significant or No Impact ⁱⁱⁱ	Comments
b. Have adequate wastewater treatment and disposal facilities for full buildout of the project?			X	The project will not require wastewater services.
c. Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?			X	The project will result in disposal of the removed piers and bents; however, once completed solid waste disposal will no longer be needed. Further, the Kiefer Landfill has capacity to accommodate solid waste until the year 2030.
d. Result in substantial adverse physical impacts associated with the construction of new water supply or wastewater treatment and disposal facilities or expansion of existing facilities?			X	The project will not require construction or expansion of new water supply, wastewater treatment, or wastewater disposal facilities.
e. Result in substantial adverse physical impacts associated with the provision of storm water drainage facilities?			X	Project construction would not require the addition of new stormwater drainage facilities.
f. Result in substantial adverse physical impacts associated with the provision of electric or natural gas service?			X	The project will not require electric or natural gas service.
g. Result in substantial adverse physical impacts associated with the provision of emergency services?			X	The project will not result in physical impacts associated with the provision of emergency services.
h. Result in substantial adverse physical impacts associated with the provision of public school services?			X	The project will not require the use of public school services.
i. Result in substantial adverse physical impacts associated with the provision of park and recreation services?			X	The project will not result in adverse physical impacts associated with the provision of park and recreation services.
a. Result in a substantial increase in vehicle trips that would exceed, either individually or cumulatively, a level of service standard established by the County?			X	The project will not increase vehicle trips.
b. Result in a substantial adverse impact to access and/or circulation?			X	No changes to existing access and/or circulation patterns would occur as a result of the project.

	Potentially Significant ⁱ	Less Than Significant with Mitigation ⁱⁱ	Less Than Significant or No Impact ⁱⁱⁱ	Comments
c. Result in a substantial adverse impact to public safety on area roadways?			X	No changes to existing access and/or circulation patterns would occur as a result of the project; therefore no impacts to public safety on area roadways will result.
d. Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?			X	The project does not conflict with alternative transportation policies of the Sacramento County General Plan, with the Sacramento Regional Transit Master Plan, or other adopted policies, plans or programs supporting alternative transportation.
a. Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is in non-attainment under an applicable federal or state ambient air quality standard?			X	The project does not exceed the screening thresholds established by the Sacramento Metropolitan Air Quality Management District and will not result in a cumulatively considerable net increase of any criteria pollutant for which the project region is in non-attainment.
b. Expose sensitive receptors to pollutant concentrations in excess of standards?			X	See Response 8.a.
c. Create objectionable odors affecting a substantial number of people?			X	The project will not generate objectionable odors.
a. Result in exposure of persons to, or generation of, noise levels in excess of standards established by the local general plan, noise ordinance or applicable standards of other agencies?			X	The completed project will not generate noise. The project will not result in exposure of persons to, or generation of, noise levels in excess of applicable standards.
b. Result in a substantial temporary increase in ambient noise levels in the project vicinity?			X	Project construction will result in a temporary increase in ambient noise levels in the project vicinity. This impact is less than significant due to the temporary nature of these activities, limits on the duration of noise, and evening and nighttime restrictions imposed by the County Noise Ordinance (Chapter 6.68 of the County Code).
a. Substantially deplete groundwater supplies or substantially interfere with groundwater recharge?			X	The project will not rely on groundwater supplies and will not substantially interfere with groundwater recharge.

	Potentially Significant ¹	Less Than Significant with Mitigation ²	Less Than Significant or No Impact ³	Comments
b. Substantially alter the existing drainage pattern of the project area and/or increase the rate or amount of surface runoff in a manner that would result in flooding on- or off-site?		X		Project compliance with applicable requirements of the Sacramento County Floodplain Management Ordinance, Sacramento County Water Agency Code, and Sacramento County Improvement Standards as well as coordination with regulatory agencies including acquisition of the appropriate permits will ensure that impacts are less than significant. Impacts related to hydrology and water quality are discussed in the Hydrology / Water Quality section of the initial study.
c. Develop within a 100-year floodplain as mapped on a federal Flood Insurance Rate Map or within a local flood hazard area?		X		The project is within a 100-year floodplain as mapped on a federal Flood Insurance Rate Map (Panel Number 060266-0170G). Coordination with regulatory agencies and acquisition of the appropriate permits will be required. Refer to the Drainage discussion in the Initial Study.
d. Place structures that would impede or redirect flood flows within a 100-year floodplain?		X		Although the project is within a 100-year floodplain, compliance with the Sacramento County Floodplain Management Ordinance, Sacramento County Water Agency Code, and Sacramento County Improvement Standards will ensure that impacts are less than significant. Refer to the Drainage discussion in the Initial Study.
e. Expose people or structures to a substantial risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?		X		Mitigation measures have been recommended to restrict the construction period within flood prone areas to the dry season or limit construction activities to those that can adequately withstand high flows. Refer to the Drainage discussion in the Initial Study.
f. Create or contribute runoff that would exceed the capacity of existing or planned stormwater drainage systems?			X	The project does not propose any physical changes that would affect runoff from the site.
g. Create substantial sources of polluted runoff or otherwise substantially degrade ground or surface water quality?		X		Compliance with the Stormwater Ordinance and Land Grading and Erosion Control Ordinance (Chapters 15.12 and 14.44 of the County Code respectively) will ensure that the project will not create substantial sources of polluted runoff or otherwise substantially degrade ground or surface water quality. Refer to the Stormwater Pollution and Erosion/Sediment Control section in the Initial Study.

	Potentially Significant ⁱ	Less Than Significant with Mitigation ^a	Less Than Significant or No Impact ⁱⁱⁱ	Comments
<p>a. Expose people or structures to substantial risk of loss, injury or death involving rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault?</p>			X	<p>Sacramento County is not within an Alquist-Priolo Earthquake Fault Zone. Although there are no known active earthquake faults in the project area, the site could be subject to some ground shaking from regional faults. The Uniform Building Code contains applicable construction regulations for earthquake safety that will ensure less than significant impacts.</p>
<p>b. Result in substantial soil erosion, siltation or loss of topsoil?</p>			X	<p>Land grading and/or clearing activities associated with the project have the potential to cause adverse water quality and siltation impacts to the Sacramento River. Refer to the Hydrology / Water Quality section in the Initial Study.</p>
<p>c. Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on-site landslide, lateral spreading, subsidence, soil expansion, liquefaction or collapse?</p>			X	<p>The project is not located on an unstable geologic or soil unit.</p>
<p>d. Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available?</p>			X	<p>The project does not require the use of septic tanks or wastewater disposal systems.</p>
<p>e. Result in a substantial loss of an important mineral resource?</p>			X	<p>The project is not located within an Aggregate Resource Area as identified by the Sacramento County General Plan Land Use Diagram, nor are any important mineral resources known to be located on the project site.</p>
<p>f. Directly or indirectly destroy a unique paleontological resource or site?</p>			X	<p>No known paleontological resources (e.g. fossil remains) or sites occur at the project location.</p>
<p>a. Have a substantial adverse effect on any special status species, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, or threaten to eliminate a plant or animal community?</p>		X		<p>The project site contains suitable habitat for Swainson's hawk, Sacramento River winter-run Chinook salmon, Central Valley spring-run Chinook salmon, Central Valley steelhead, and green sturgeon. Mitigation is included to reduce impacts to less than significant levels. Refer to the Biological Resources section of the Initial Study.</p>

	Potentially Significant ¹	Less Than Significant with Mitigation ²	Less Than Significant or No Impact ³	Comments
b. Have a substantial adverse effect on riparian habitat or other sensitive natural communities?		X		The project site contains riparian habitat and critical habitat for Sacramento River winter-run Chinook salmon, Central Valley spring-run Chinook salmon, Central Valley steelhead, and green sturgeon. Mitigation is included to reduce impacts to less than significant levels. Refer to the Biological Resources section of the Initial Study.
c. Have a substantial adverse effect on streams, wetlands, or other surface waters that are protected by federal, state, or local regulations and policies?		X		The Sacramento River is classified as navigable water of the United States (U.S.). Therefore, actions affecting the river require evaluation and permitting pursuant to section 10 of the Rivers and Harbors Act and section 301, 402, and 404 of the Clean Water Act (CWA) which are administered by the Corps. Mitigation has been recommended to minimize impacts associated with the project. Refer to Hydrology / Water Quality discussion in the Initial Study.
d. Have a substantial adverse effect on the movement of any native resident or migratory fish or wildlife species?		X		Construction activities have the potential to affect water quality in the Sacramento River, and as a result have the potential to impact fish species. Construction activities also have the potential to disturb raptor and other wildlife nesting sites that may be located near the project work area. Refer to the Biological Resources section in the Initial Study.
e. Adversely affect or result in the removal of native or landmark trees?		X		Native and/or landmark trees occur on the project site and may be affected by construction. Mitigation is recommended to ensure impacts are less than significant. Refer to the Biological Resources section in the Initial Study.
f. Conflict with any local policies or ordinances protecting biological resources?			X	The project is consistent with local policies/ordinances protecting biological resources.
g. Conflict with the provisions of an adopted Habitat Conservation Plan or other approved local, regional, state or federal plan for the conservation of habitat?			X	There are no known conflicts with any approved plan for the conservation of habitat.
a. Cause a substantial adverse change in the significance of an historical resource?		X		No known historical resources exist on the project site. Nonetheless, mitigation has been recommended to ensure appropriate treatment should resources be uncovered during project implementation.

	Potentially Significant ¹	Less Than Significant with Mitigation ²	Less Than Significant or No Impact ³	Comments
b. Have a substantial adverse effect on an archaeological resource?		X		No known archaeological resources exist on the project site. Nonetheless, mitigation has been recommended to ensure appropriate treatment should resources be uncovered during project implementation.
c. Disturb any human remains, including those interred outside of formal cemeteries?		X		No known human remains exist on the project site. Nonetheless, mitigation has been recommended to ensure appropriate treatment should remains be uncovered during project implementation.
a. Create a substantial hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?			X	The project does not involve the transport, use, and/or disposal of hazardous material.
b. Expose the public or the environment to a substantial hazard through reasonably foreseeable upset conditions involving the release of hazardous materials?			X	The project does not involve the transport, use, and/or disposal of hazardous material.
c. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances or waste within one-quarter mile of an existing or proposed school?			X	The project does not involve the use or handling of hazardous material.
d. Be located on a site that is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5, resulting in a substantial hazard to the public or the environment?			X	The project is not located on a known hazardous materials site.
e. Impair implementation of or physically interfere with an adopted emergency response or emergency evacuation plan?			X	The project would not interfere with any known emergency response or evacuation plan.

SUPPLEMENTAL INFORMATION

LAND USE CONSISTENCY	Current Land Use Designation	Consistent	Not Consistent	Comments
General Plan	Recreation	X		
Community Plan	n/a			
Land Use Zone	R-1 and F	X		

- i Potentially Significant indicates there is substantial evidence that an effect MAY be significant. If there are one or more "Potentially Significant" entries an Environmental Impact Report (EIR) is required. Further research of a potentially significant impact may reveal that the impact is actually less than significant or less than significant with mitigation.
- ii Less than Significant with Mitigation applies where an impact could be significant but specific mitigation has been identified that reduces the impact to a less than significant level.
- iii Less than Significant or No Impact indicates that either a project will have an impact but the impact is considered minor or that a project does not impact the particular resource.

SACRAMENTO COUNTY
DEPARTMENT OF ENVIRONMENTAL REVIEW AND ASSESSMENT

MITIGATION MONITORING AND REPORTING PROGRAM

CONTROL NUMBER: 08-70109

NAME: SUMP 119 OUTFALL DEMOLITION

LOCATION: The project site is located on the tide and submerged lands of the Sacramento River (near 5804 Riverside Blvd.) within 2.87± acres parcel owned by the California State Lands Commission (SLC) situated within the Land Park-Pocket-Meadowview Community.

ASSESSOR'S PARCEL NUMBER: 029-0021-041

APPLICANT:

Sacramento Regional County Sanitation District
Attention: Steve Nebozuk

PROJECT DESCRIPTION:

The Sacramento Regional County Sanitation District (SRCSD) proposes the removal of six abandoned bents and two dolphin piers from the Sacramento River. Installed in 1946, the bents once supported a 30-inch sewer force main within the river outlet, which has since been demolished. The pilings for each bent and dolphin pier were embedded into the river bed a minimum of 20 feet until a minimum bearing of 10 tons was established. The demolition of the existing structures will attempt to remove each piling intact. If the entire length of the piling cannot be extracted without extensive excavation, the piling will be cut at a minimum of 3-feet below the existing river bed and abandoned in place.

Major demolition and debris removal work will occur from the Sacramento River using a barge with a tug and debris scow. Incidental demolition and debris removal work may occur from land.

TYPE OF ENVIRONMENTAL DOCUMENT:

<input checked="" type="checkbox"/> Mitigated Negative Declaration	<input type="checkbox"/> Prior Negative Declaration
<input type="checkbox"/> Environmental Impact Report	<input type="checkbox"/> Prior Environmental Impact Report
<input type="checkbox"/> Supplemental Environmental Impact Report	

PREPARED BY: Sacramento County Department of
Environmental Review and Assessment
827 7th Street, Room 220
Sacramento, CA 95814

PHONE: (916) 874-7914

MITIGATION MONITORING AND REPORTING PROGRAM

ADOPTED BY: SRCSD BOARD OF DIRECTORS

DATE:

ATTEST:

Cyrdi Lee

CLERK

TABLE OF MEASURES

<input type="checkbox"/>	MITIGATION MEASURE A: FLOODING, WATER QUALITY AND EROSION CONTROL	6
<input type="checkbox"/>	MITIGATION MEASURE B: REGULATORY COMPLIANCE	9
<input type="checkbox"/>	MITIGATION MEASURE C: RIPARIAN HABITAT	11
<input type="checkbox"/>	MITIGATION MEASURE D: OAK AND RIPARIAN TREE PROTECTION	14
<input type="checkbox"/>	MITIGATION MEASURE E: SWAINSON'S HAWK AND OTHER RAPTORS NESTING HABITAT	17
<input type="checkbox"/>	MITIGATION MEASURE F: CHINOOK SALMON, STEELHEAD, AND GREEN STURGEON 19	
<input type="checkbox"/>	MITIGATION MEASURE G: NAVIGATION HAZARD	ERROR! BOOKMARK NOT DEFINED.

PURPOSE AND PROCEDURES

Pursuant to Section 21081.6 of the Public Resources Code and Chapter 20.02 of the Sacramento County Code, a Mitigation Monitoring and Reporting Program has been established for the project entitled **SUMP 119 OUTFALL DEMOLITION (Control Number: 08-70109)**.

PURPOSE

The purpose of this program is to assure diligent and good faith compliance with the Mitigation Measures which have been recommended in the environmental document, and adopted as part of the project or made conditions of project approval, in order to avoid or mitigate potentially significant effects on the environment.

NOTIFICATION AND COMPLIANCE

It shall be the responsibility of the project applicant to provide written notification to the Environmental Coordinator, in a timely manner, of the completion of each Mitigation Measure as identified on the following pages. The Department of Environmental Review and Assessment (DERA) will verify that the project is in compliance. Any non-compliance will be reported to the project applicant, and it shall be the project applicant's responsibility to rectify the situation by bringing the project into compliance and re-notifying the Environmental Coordinator.

PAYMENT

It shall be the responsibility of the project applicant to reimburse DERA for all expenses incurred in the implementation of the Mitigation Monitoring and Reporting Program (MMRP), including any necessary enforcement actions.

COMPLETION

Pursuant to Section 20.02.060 of the Sacramento County Code, upon the determination of the Environmental Coordinator that compliance with the terms of the approved Mitigation Monitoring and Reporting Program has been achieved, and that there has been full payment of all fees for the project, the Environmental Coordinator shall record and issue a Program Completion Certificate for the project.

STANDARD PROVISIONS

The project applicant shall submit one copy of all Project Plans and Construction Specifications and/or revisions to the Department of Environmental Review and Assessment prior to board approval to advertise Plans and Specifications. If the Department of Environmental Review and Assessment determines that the Plans are not in full compliance with the adopted MMRP, the Plans shall be returned to the project applicant with a letter specifying the items of non-compliance, and instructing the applicant to revise the Plans, and then resubmit one copy of the revised Plans to the Department of Environmental Review and Assessment prior to board approval to advertise.

Additionally, the project applicant shall notify the Department of Environmental Review and Assessment **no later than 48 hours** prior to the start of construction and no later than 24 hours after its completion. The applicant shall notify the Department of Environmental Review and Assessment no later than 48 hours prior to any/all Final Inspection(s) by the County of Sacramento.

The project applicant shall notify the Department of Environmental Review and Assessment (DERA) of any pre-construction meetings. Upon notification, a determination will be made as to whether or not DERA will need to attend the meeting.

The project applicant shall comply with the Mitigation Monitoring and Reporting Program for this project, including the payment of 100% of the Sacramento County Department of Environmental Review and Assessment staff costs, and the costs of any technical consultant services incurred during implementation of that Program.

MITIGATION MEASURE A: FLOODING, WATER QUALITY AND EROSION CONTROL

The applicant shall prepare and implement an erosion control and water quality protection plan that will be subject to the review and approval of the County Department of Water Resources. The Plan shall include, but not be limited to, the following measures to protect water quality during construction:

1. Construction activities within the area of the Ordinary High Water Mark (OHWM) line shall be limited to the period from May 30th to October 1st of each construction year.
2. Construction activities that occur between October 15 and May 15 within the floodplain, but above the OHWM, shall be limited to those actions that can adequately withstand high river flows without resulting in the inundation of and entrainment of materials in floodflows.
3. Stockpiling of construction materials, including portable equipment, vehicles and supplies, including chemicals, will be restricted to the designated construction staging areas and exclusive of the wetlands avoidance areas.
4. Equipment and vehicle operated within the floodplain shall be checked and maintained daily to prevent leaks of fuels, lubricant or other fluids to the river.
5. Sheet metal cofferdams will be used for all areas of extended in-water work, and pumped water will be routed to either: (1) a sedimentation pond located on a flat stable area above the OHWM that prevents silt-laden runoff to enter the river; or, (2) a sedimentation tank/holding facility that allows only clear water to return to the river and includes disposal of settled solids at an appropriate off-site location.
6. Litter and construction debris shall be removed from below the OHWM line daily, and disposed of at an appropriate site. All litter, debris and unused materials, equipment or supplies shall be removed from construction staging areas above OHWM at the end of each summer construction season.
7. Woody vegetation shall be cut only in the minimum area required to provide access or permanent footprint space. Where possible, vegetation will be cut rather than grubbed out, to allow for vegetative regeneration and to facilitate soil protection and stabilization.

Implementation and Notification (Action by Project Applicant):

1. Comply fully with the above measure.
2. Include the above measure verbatim as a Construction Note and incorporate it into all Plans and Specifications for the project, and submit one copy to the Department of Environmental Review and Assessment for review and approval prior to the start of any construction work (including clearing and grubbing).

Verification (Action by the Department of Environmental Review and Assessment):

1. Review the Project Plans prior to the start of construction. Approve Project Plans that are determined to be in compliance with all required mitigation.
2. Monitor compliance during periodic site inspections of the construction work.
3. Participate in any Final Inspection(s) as necessary.

Comments:

Completion of Mitigation Verified:

Department of Environmental Review and Assessment

Signature: _____ Date: _____

MITIGATION MEASURE B: REGULATORY COMPLIANCE

Coordinate and comply with the requirements of all agencies with jurisdiction over the subject property. Including, but not limited to, acquisition and implementation of the all applicable permits from the U. S. Army Corps of Engineers, the Reclamation Board, and the Department of Fish and Game. A copy of the required permits shall be submitted to the Department of Environmental Review and Assessment for verification.

Implementation and Notification (Action by Project Applicant):

1. Comply fully with the above measure.
2. Include the above measure verbatim as a Construction Note and incorporate it into all Plans and Specifications for the project, and submit one copy to the Department of Environmental Review and Assessment for review and approval prior to the start of any construction work (including clearing and grubbing).

Verification (Action by the Department of Environmental Review and Assessment):

1. Review the Project Plans prior to the start of construction. Approve Project Plans that are determined to be in compliance with all required mitigation.
2. Monitor compliance during periodic site inspections of the construction work.
3. Participate in any Final Inspection(s) as necessary.

Comments:

Completion of Mitigation Verified:

Department of Environmental Review and Assessment

Signature: _____ Date: _____

MITIGATION MEASURE C: RIPARIAN HABITAT

In order to compensate for the potential loss of riparian habitat located adjacent to the Sacramento River, the following mitigation is required:

1. Prior to the commencement of demolition or other work that requires removal of riparian habitat, the project proponent shall prepare a re-vegetation plan for the altered channel, consistent with General Plan Policies CO-62 and CO-112, which restores Sacramento River riparian habitat. The plan shall include inch for inch replacement for the removal of any native oak tree.
2. The re-vegetation plan shall be prepared by a qualified biologist or botanist and provide quantifiable success criteria and include at least a one year monitoring and adaptive management program. The plan shall be subject to the approval of the DERA.
3. Any mitigation required by the state or federal permitting agencies that compensates for the loss of riparian vegetation, functions and values and that provides for a native re-vegetation plan consistent with or exceeding the requirements of measure 1 above shall be deemed mitigation sufficient to reduce impacts to a less than significant level and may be utilized in place of items 1 and 2 above.

Implementation and Notification (Action by Project Applicant):

1. Comply fully with the above measure.
2. Include the above measure verbatim as a Construction Note and incorporate it into all Plans and Specifications for the project, and submit one copy to the Department of Environmental Review and Assessment for review and approval prior to the start of any construction work (including clearing and grubbing).

Verification (Action by the Department of Environmental Review and Assessment):

1. Review the Project Plans prior to the start of construction. Approve Project Plans that are determined to be in compliance with all required mitigation.
2. Monitor compliance during periodic site inspections of the construction work.
3. Participate in any Final Inspection(s) as necessary.

Comments:

Completion of Mitigation Verified:

Department of Environmental Review and Assessment

Signature: _____ Date: _____

□ MITIGATION MEASURE D: OAK AND RIPARIAN TREE PROTECTION

With the exception of the trees removed and compensated for through Mitigation Measure C, above, all native oak and riparian trees located within the limits of the project, all portions of adjacent off-site native oak and riparian trees that are 6 inches dbh or larger which have driplines that extend onto the project site, and all off-site native oak and riparian trees that are 6 inches dbh or larger which may be impacted by work associated with this project, shall be preserved and protected as follows

1. A circle with a radius measurement from the trunk of the tree to the tip of its longest limb shall constitute the dripline protection area of the tree. Limbs must not be cut back in order to change the dripline. The area beneath the dripline is a critical portion of the root zone and defines the minimum protected area of the tree. Removing limbs which make up the dripline does not change the protected area.
2. Chain link fencing or a similar protective barrier shall be installed one foot outside the driplines of the trees prior to initiating project construction, in order to avoid damage to the trees and their root system. When areas under the tree canopy cannot be fenced, a temporary ground covering is required and shall cover the root zone and remain in place at the specified thickness until project activity within the root zone has been completed. The protective ground cover shall consist of shredded wood chips spread over the roots at a minimum of 6-inches in depth (keeping the trunk clear of chips), and layered by 3/4-inch gravel to stabilize the 3/4-inch plywood sheets or steel plates laid on top.
3. No signs, ropes, cables (except cables which may be installed by a certified arborist to provide limb support), or any other items shall be attached to the trees.
4. With the exception of driplines located along the existing levee road, no vehicles, construction equipment, mobile home/office, supplies, materials, or facilities shall be driven, parked, stockpiled, or located within the driplines of the trees.
5. Any soil disturbance (scraping, grading, trenching, and excavation) is to be avoided within the driplines of the trees. Where this is necessary, an ISA Certified Arborist will provide specifications for this work, including methods for root pruning, backfill specifications, and irrigation management guidelines.
6. Drainage patterns on the site shall not be modified so that water collects or stands within, or is diverted across, the dripline of the trees.
7. No sprinkler or irrigation system shall be installed in such a manner that it sprays water within the driplines of the trees.
8. Tree pruning that may be required for clearance during construction must be performed by an ISA Certified Arborist or Tree Worker and in accordance with

the American National Standards Institute (ANSI) A300 pruning standards and the International Society of Arboriculture (ISA) "Tree Pruning Guidelines".

9. Landscaping beneath the trees may include non-plant materials such as boulders, decorative rock, wood chips, organic mulch, non-compacted decomposed granite, etc. Landscape materials shall be kept two (2) feet away from the base of the trunk. The only plant species which shall be planted within the driplines of the trees are those which are tolerant of the natural semi-arid environs of the trees. Limited drip irrigation approximately twice per summer is recommended for the understory plants.
10. Any fence/wall that will encroach into the dripline protection area of any protected tree shall be constructed using grade beam wall panels and posts or piers set no closer than 10 feet on center. Posts or piers shall be spaced in such a manner as to maximize the separation between the tree trunks and the posts or piers in order to reduce impacts to the trees.

Implementation and Notification (Action by Project Applicant):

1. Comply fully with the above measure.
2. Include the above measure verbatim as a Construction Note and incorporate it into all Plans and Specifications for the project, and submit one copy to the Department of Environmental Review and Assessment for review and approval prior to the start of any construction work (including clearing and grubbing).

Verification (Action by the Department of Environmental Review and Assessment):

1. Review the Project Plans prior to the start of construction. Approve Project Plans that are determined to be in compliance with all required mitigation.
2. Monitor compliance during periodic site inspections of the construction work.
3. Participate in any Final Inspection(s) as necessary.

Comments:

Completion of Mitigation Verified:

Department of Environmental Review and Assessment

Signature: _____ Date: _____

**MITIGATION MEASURE E: SWAINSON'S HAWK AND OTHER RAPTORS
NESTING HABITAT**

If demolition or project-related activities are to occur between March 1 and September 15, a focused survey for Swainson's hawk and other raptor nests on the site and on nearby trees shall take place within ¼ mile of the site, and shall be conducted by a qualified biologist within 14 days prior to the start of demolition work (including clearing and grubbing). If active nests are found, the DERA and the CDFG shall be contacted to determine appropriate protective measures. If no active nests are found during the focused survey, no further mitigation will be required.

Implementation and Notification (Action by Project Applicant):

1. Comply fully with the above measure.
2. Include the above measure verbatim as a Construction Note and incorporate it into all Plans and Specifications for the project, and submit one copy to the Department of Environmental Review and Assessment for review and approval prior to the start of any construction work (including clearing and grubbing).

Verification (Action by the Department of Environmental Review and Assessment):

1. Review the Project Plans prior to the start of construction. Approve Project Plans that are determined to be in compliance with all required mitigation.
2. Monitor compliance during periodic site inspections of the construction work.
3. Participate in any Final Inspection(s) as necessary.

Comments:

Completion of Mitigation Verified:

Department of Environmental Review and Assessment

Signature: _____ Date: _____

☐ MITIGATION MEASURE F: CHINOOK SALMON, STEELHEAD, AND GREEN STURGEON

Develop and implement a fish salvage and rescue program (Program) that will help reduce direct take of fishes during cofferdam placement, dewatering, and under any debris or spill clean-up operations. The Program shall require participation by a qualified fish biologist with all required ESA permits to oversee field operations, salvage activities, and determine suitable time(s) and location(s) of release for rescued fish.

The following measures are from the initial correspondence from NMFS and shall be incorporated as mitigation along with any additional measures identified during the permitting process unless those additional measure supersede those listed below.

1. Use a silt curtain/fence around the in-water work area to minimize turbidity and sedimentation. In addition, use Best Management Practices to reduce water quality impacts. Equipment should be refueled and serviced at designated construction staging areas. All construction material should be stored and contained in a designated area that is located away from channel areas to prevent transport of materials into the adjacent river. The preferred distance is a minimum of 100 feet from the wetted width of a stream. A silt fence should be installed to collect any discharge, and adequate materials for spill cleanup should be kept on site. Construction vehicles and equipment should be maintained to prevent contamination of soil or water from external grease and oil or from leaking hydraulic fluid, fuel, oil, and grease.
2. Activities conducted in and near the active channel should be limited to the period between June 15 and October 15. This is a period of the year when weather conditions are generally dry and NMFS' ESA-listed species are least likely to occur in the project area.
3. All disturbed soils at each site should undergo erosion control treatment prior to October 15 and/or immediately after construction is terminated. Treatment includes temporary seeding and sterile straw mulch. Any disturbed soil on a gradient of over 30 percent should have erosion control blankets installed. Permanent vegetation and tree replanting should take place in small openings in the erosion control blanket. Native species shall be used for replanting and restoration on the project site.
4. Shaded riverine aquatic (SRA) habitat or natural woody riparian habitat should be avoided and preserved to the maximum extent practicable. Where impacts to riparian and SRA habitats are unavoidable replanting of native woody riparian species should be implemented at 3:1 ratio on an area or linear foot basis, as appropriate. The success of replanting is measured as 100 percent or greater replacement of impacted vegetation after three years.

Implementation and Notification (Action by Project Applicant):

1. Comply fully with the above measure.
2. Include the above measure verbatim as a Construction Note and incorporate it into all Plans and Specifications for the project, and submit one copy to the Department of Environmental Review and Assessment for review and approval prior to the start of any construction work (including clearing and grubbing).

Verification (Action by the Department of Environmental Review and Assessment):

1. Review the Project Plans prior to the start of construction. Approve Project Plans that are determined to be in compliance with all required mitigation.
2. Monitor compliance during periodic site inspections of the construction work.
3. Participate in any Final Inspection(s) as necessary.

Comments:

Completion of Mitigation Verified:

Department of Environmental Review and Assessment

Signature: _____ Date: _____

MITIGATION MEASURE G: CULTURAL RESOURCES – UNANTICIPATED DISCOVERIES

If subsurface deposits believed to be cultural or human in origin are discovered during construction, then all work must halt within a 200-foot radius of the discovery. A qualified professional archaeologist, meeting the Secretary of the Interior's Professional Qualification Standards for prehistoric and historic archaeology, shall be retained at the Applicant's expense to evaluate the significance of the find. If it is determined due to the types of deposits discovered that a Native American monitor is required, the Guidelines for Monitors/Consultants of Native American Cultural, Religious, and Burial Sites as established by the Native American Heritage Commission shall be followed, and the monitor shall be retained at the Applicant's expense.

Work cannot continue within the 200-foot radius of the discovery site until the archaeologist conducts sufficient research and data collection to make a determination that the resource is either 1) not cultural in origin; or 2) not potentially eligible for listing on the National Register of Historic Places or California Register of Historical Resources.

If a potentially-eligible resource is encountered, then the archaeologist, DERA, and project proponent shall arrange for either 1) total avoidance of the resource, if possible; or 2) test excavations or total data recovery as mitigation. The determination shall be formally documented in writing and submitted to DERA as verification that the provisions of CEQA for managing unanticipated discoveries have been met.

In addition, pursuant to Section 5097.97 of the State Public Resources Code and Section 7050.5 of the State Health and Safety Code, in the event of the discovery of human remains, all work is to stop and the County Coroner shall be immediately notified. If the remains are determined to be Native American, guidelines of the Native American Heritage Commission shall be adhered to in the treatment and disposition of the remains.

Implementation and Notification (Action by Project Applicant):

1. Comply fully with the above measure.
2. Include the above measure verbatim as a Construction Note and incorporate it into all Plans and Specifications for the project, and submit one copy to the Department of Environmental Review and Assessment for review and approval prior to the start of any construction work (including clearing and grubbing).

Verification (Action by the Department of Environmental Review and Assessment):

1. Review the Project Plans prior to the start of construction. Approve Project Plans that are determined to be in compliance with all required mitigation.

2. Monitor compliance during periodic site inspections of the construction work.
3. Participate in any Final Inspection(s) as necessary.

Comments:

Completion of Mitigation Verified:

Department of Environmental Review and Assessment

Signature: _____ Date: _____

CENTRAL VALLEY FLOOD PROTECTION BOARD

3310 El Camino Ave., Rm. 151
SACRAMENTO, CA 95821
(916) 574-0609 FAX: (916) 574-0682
PERMITS: (916) 574-0685 FAX: (916) 574-0682



September 28, 2010

Steven Nebozuk
Sacramento Regional Sanitation District
10060 Goethe Road
Sacramento, California 95827

Dear Mr. Nebozuk:

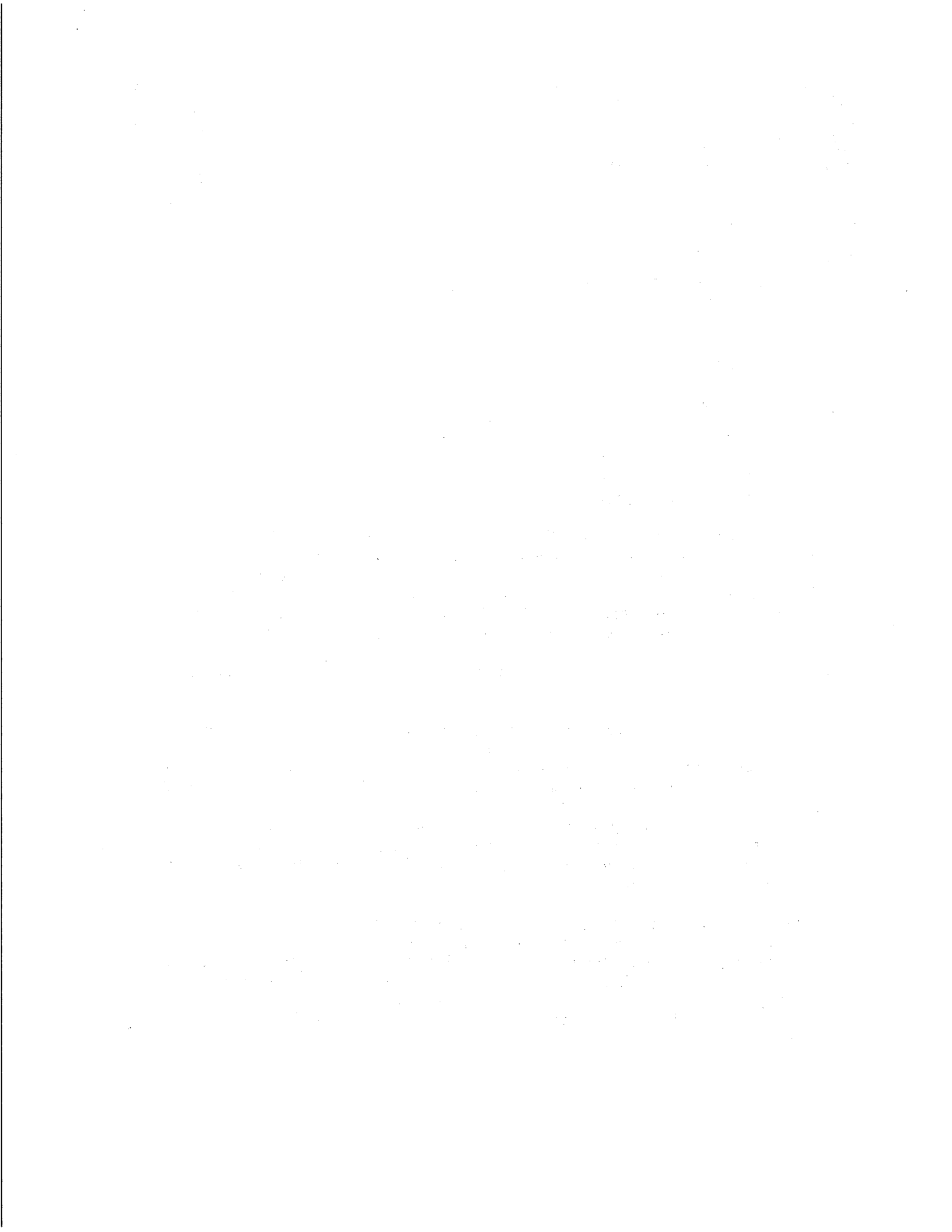
Subject: Sump 119 Outfall Demolition
Negative Declaration SCH No. 2010092040

Staff for the Central Valley Flood Protection Board has reviewed the subject document and provides the following comments:

The proposed project is located within the jurisdiction of the Central Valley Flood Protection Board (Formerly known as The Reclamation Board). The Board is required to enforce standards for the construction, maintenance and protection of adopted flood control plans that will protect public lands from floods. The jurisdiction of the Board includes the Central Valley, including all tributaries and distributaries of the Sacramento River, the San Joaquin River, and designated floodways (Title 23 California Code of Regulations (CCR), Section 2).

A Board permit is required prior to starting the work within the Board's jurisdiction for the following:

- The placement, construction, reconstruction, removal, or abandonment of any landscaping, culvert, bridge, conduit, fence, projection, fill, embankment, building, structure, obstruction, encroachment, excavation, the planting, or removal of vegetation, and any repair or maintenance that involves cutting into the levee (CCR Section 6);
- Existing structures that predate permitting or where it is necessary to establish the conditions normally imposed by permitting. The circumstances include those where responsibility for the encroachment has not been clearly established or ownership and use have been revised (CCR Section 6);
- Vegetation plantings will require the submission of detailed design drawings; identification of vegetation type; plant and tree names (i.e. common name and scientific name); total number of each type of plant and tree; planting spacing and irrigation method that will be within the project area; a complete vegetative management plan for maintenance to prevent the interference with flood control, levee maintenance, inspection and flood fight procedures (Title 23, California Code of Regulations CCR Section 131).



Steven Nebozuk
September 28, 2010
Page 2 of 2

The permit application and Title 23 CCR can be found on the Central Valley Flood Protection Board's website at <http://www.cvfpb.ca.gov/>. Contact your local, federal and state agencies, as other permits may apply.

If you have any questions please contact me at (916) 574-0651 or by email jherota@water.ca.gov.

Sincerely,



James Herota
Staff Environmental Scientist
Floodway Protection Section

cc: Governor's Office of Planning and Research
State Clearinghouse
1400 Tenth Street, Room 121
Sacramento, CA 95814

