



Central Valley Regional Water Quality Control Board

7 December 2021

James J. Handura
United States Army Corps of Engineers
1325 J Street
Sacramento, CA 95814-2922

NOTICE OF APPLICABILITY FOR COVERAGE UNDER CLEAN WATER ACT SECTION 401 GENERAL WATER QUALITY CERTIFICATION OF THE AMERICAN RIVER WATERSHED COMMON FEATURES 2016 PROJECT, SACRAMENTO RIVER EAST LEVEE CONTRACT 3 PROJECT (WDID#5A34CR00819-004), SACRAMENTO COUNTY

On 4 November 2021, the United States Army Corps of Engineers (Permittee) submitted a Notice of Intent (NOI) to enroll under and comply with submitted a Notice of Intent (NOI) to enroll under and comply with Central Valley Regional Water Quality Control Board (Central Valley Water Board) Clean Water Act Section 401 Water Quality Certification of the American River Watershed Common Features 2016 Project Certification and Order (Order)(WDID#5A34CR00819).

The Central Valley Water Board has reviewed your enrollment materials and finds the Sacramento River East Levee Contract 3 Project (Project) meets the requirements of and is hereby enrolled under the Order. You may proceed with your Project in accordance with the Order.

A copy of the Certification can be found on the [Central Valley Water Board's Adopted Orders webpage](#)

https://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/401_wq_certs/5A34CR00819.pdf

Please familiarize yourself with the requirements in the Order. You are responsible for complying with all applicable Order requirements. Failure to comply with the Order constitutes a violation of the California Water Code and may result in enforcement action or termination of enrollment under the Order.

KARL E. LONGLEY SCD, P.E., CHAIR | PATRICK PULUPA, ESQ., EXECUTIVE OFFICER

PROJECT DESCRIPTION:

The purpose of the Project is to strengthen the Sacramento River East Levee to reduce flood risk in the City of Sacramento and surrounding areas.

The Project consists of installing approximately 10,580 cumulative feet of cutoff wall along the existing levee. Cutoff wall construction to depths of up to 134 feet along the existing levee will be accomplished using large, modified excavators. This equipment and the associated sequence of excavation backfill preparation, and placement of backfill into the slurry cutoff wall trench, will require a work platform placed adjacent to the trench by partially degrading (cutting down) the top of the existing levee to provide adequate working width. Excavated soil will be hauled to a nearby area for mixing with bentonite and reintroduction in the trench.

Cutoff walls will be installed using soil-bentonite(SB) mix, slag-cement-bentonite (SCCB) and deep soil mixing (DSM).Bentonite slurry is placed in the trench during excavation to prevent caving, back fill material is mixed and placed.

Sump 70 will be modified during installation of the cutoff walls. This will require temporary waterside access below the OHWM of the Sacramento River to replace three existing steel outfall pipes. No in-water work will occur. This activity will temporarily impact 0.09 acre of riparian habitat.

Project elements that affect aquatic resources include grading, excavating and placing soil, and bentonite slurry within the stream channel and riparian zone The Project will temporarily impact 0.09 acre/36 linear feet of stream channel habitat and 0.09 acre/48 linear feet of riparian habitat. Temporarily impacted areas will be restored to pre-Project condition.

PROJECT TYPE:

Non-Bioengineered Channel Construction, Maintenance, and/or Bank Stabilization

ADDITIONAL CONDITION:

The Applicant shall obtain coverage under the National Pollutant Discharge Elimination System (NPDES) General Permit for Storm Water Discharges Associated with Construction and Land Disturbance Activities Order No. 2009-0009-DWQ, as amended for discharges to surface waters comprised of storm water associated with construction activity, including, but not limited to, demolition, clearing, grading, excavations, and other land disturbance activities of one or more acres, or where projects disturb less than one acre but are part of a larger common plan of development that in total disturbs one or more acres.

PROJECT LOCATION:

The Project is located on the east levee of the Sacramento River in the Pocket-Greenhaven neighborhood of Sacramento. The receiving water is the Sacramento River in the Sacramento Delta Hydrologic Unit #510.00. The Project is within the New Helvitica land grant in Township 8 North, Range 4 East, MDB&M.

Latitude: 38.48465° N and Longitude: 121.53365° W

PROJECT SCHEDULE:

22 April through 31 October

COMPENSATORY MITIGATION

The Central Valley Water Board is not requesting compensatory mitigation for the project because all Project impacts are temporary.

APPLICATION FEE RECEIVED:

Federal dischargers involved in Dredge and Fill Operations only are not subject to permit fees as required by Section 3833(b)(3)(A) and Section 2200(a)(3) of the California Code of Regulations.

PROJECT SPECIFIC AVOIDANCE AND MINIMIZATION MEASURES:

The Permittee shall implement the Impact Avoidance and Minimization Measures described in Section 3.5.6 of the American River Common Features Environmental Impact Statement/Environmental Impact Report (EIS/EIR) for the Project, as described in the Order. The Central Valley Water Board has reviewed and evaluated the impacts to water quality identified in the Supplemental Environmental Impact Report. The mitigation measures discussed in the Supplemental Environmental Impact Report to minimize project impacts to State waters are required by this Certification.

With regard to the remaining impacts identified in the Supplemental Environmental Impact Report, the corresponding mitigation measures proposed are within the responsibility and jurisdiction of other public agencies.

Temporary erosion/runoff best management control measures will be implemented during construction to minimize stormwater pollution resulting from potential erosion and sediment migration from the construction, borrow, and staging areas. These temporary control measures may include implementing construction staging in a manner that minimizes the amount of area disturbed at any one time; secondary containment for storage of fuel and oil; and the management of stockpiles and disturbed areas by means of earth berms, diversion ditches, straw wattles, straw bales, silt fences, gravel filters, mulching, revegetation, and temporary covers, as appropriate. After completion of construction activities, the temporary facilities will be demobilized, and the site will be restored to pre-project conditions.

WATER QUALITY MONITORING:

The Permittee shall implement water quality monitoring as described in Section XIV.B of the General Certification for WDID#5A34CR00819.

If you have any questions regarding this Notice of Applicability, please contact Stephanie Tadlock at (916) 464-4644 or Stephanie.Tadlock@waterboards.ca.gov .

Original Signed By James Marshall for:

Patrick Pulupa
Executive Officer

Enclosure: Clean Water Act Section 401 Water Quality Certification of the American River Watershed Common Features 2016 Project Certification and Order (WDID#5A34CR00819)

Attachments: Figure 1 – Project Location Map

cc: Distribution List, page 5

DISTRIBUTION LIST

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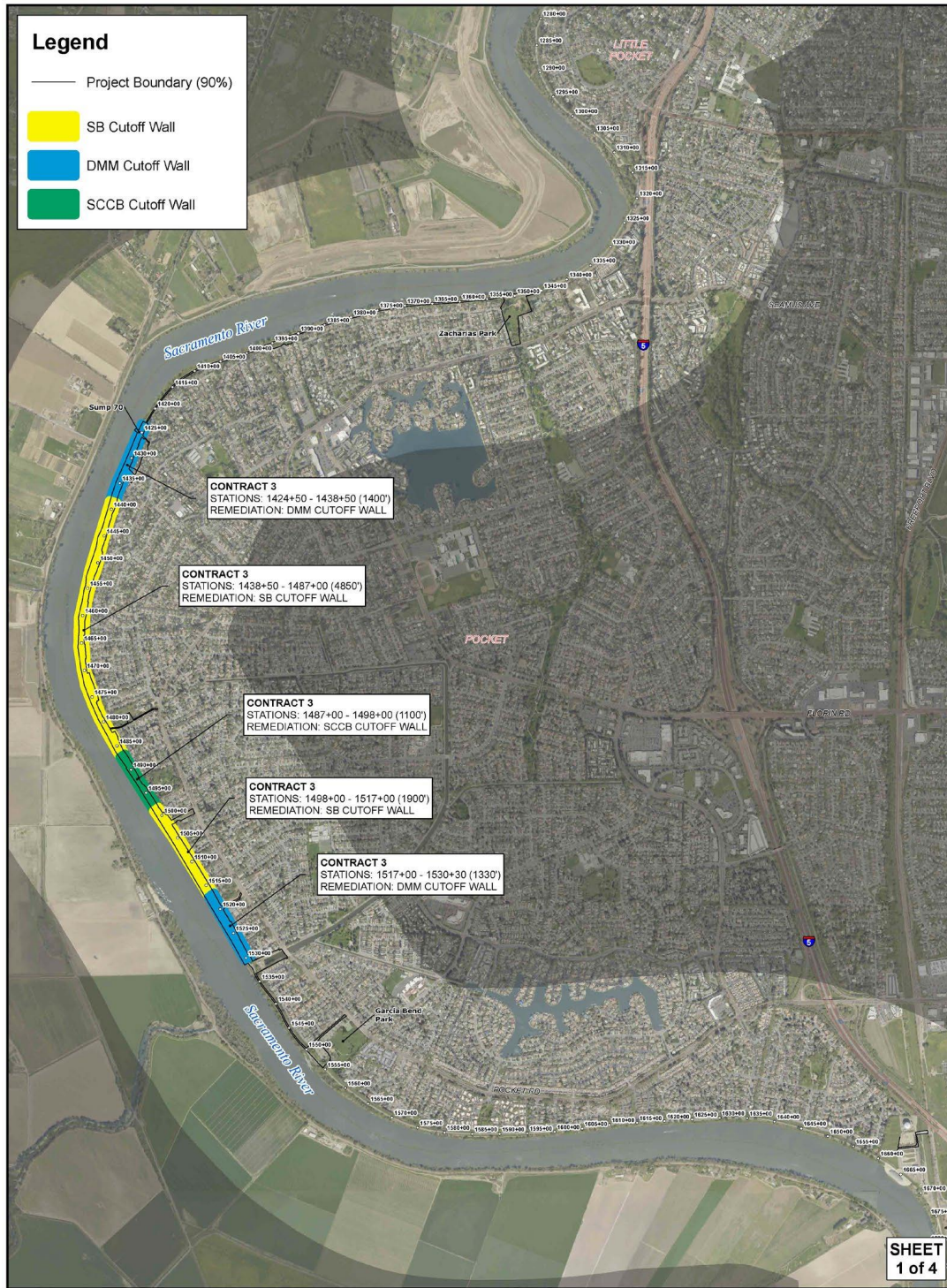
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SREL
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 ARCF 2016



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Figure 1—Project Location Map