



Central Valley Regional Water Quality Control Board

16 December 2022

Andrea Meier
United States Army Corps of Engineers
1325 J Street
Sacramento, CA 95814

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 4 PROJECT (WDID#5A34CR00819-007), SACRAMENTO COUNTY

On 20 September 2022, the United States Army Corps of Engineers (Permittee) 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 ARCF 2016 Project, Sacramento River East Levee (SREL) Contract 4 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) (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.

PROJECT DESCRIPTION:

The purpose of the Project is to install approximately 11,500 cumulative feet of cutoff wall, 500 feet of levee raise, a seepage/stability berm, and utility window remediation along the existing Sacramento River's east levee. The Project footprint includes the levee prism and several parking areas, local parks, and vacant lots used for staging purposes.

Site preparation will begin with trimming and/or removal of trees where construction access and activities will occur. Any other encroachments that may affect levee improvements will be removed concurrently with vegetative clearing. Mobilization will include setting up construction offices and the slurry batch plant and transporting heavy earthmoving and mixing equipment to the site. The Sacramento Railyards, north of the project site, has been preliminarily identified for disposal of excess soil. In lieu of the Railyards, materials not used onsite will be disposed of at an approved off-site disposal location.

The jet grout process involves drilling a hole straight down into the levee to a depth of up to approximately 130 feet, then injecting grout into the hole through a high-pressure nozzle. Cutoff wall construction to depths of up to 90 feet along the existing levee will be accomplished primarily with 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 the existing levee to be degraded by one-half of the levee height to provide for a working platform of sufficient width to accommodate equipment and reduce potential for developing cracks in the levee during cutoff wall installation. A half-levee degrade will still be above the ordinary high-water mark (OHWM). The levee crowns will be rebuilt to their design height, retaining the visual appearance similar to existing conditions. After the levee is reconstructed, aggregate base or asphalt concrete will be placed on the levee crown patrol road, similar to existing conditions, and the disturbed slopes will be planted with approved vegetation.

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 at various sites along the 13-mile stretch of the Sacramento River east levee starting at the confluence with the American River and ending 1.5 miles south of Freeport, CA.

PROJECT SCHEDULE:

November 2022 through January 2024

COMPENSATORY MITIGATION:

There are no permanent impacts to aquatic resources with the implementation of mitigation measures; therefore, no compensatory mitigation for discharges or

permanent fill into the Sacramento River are required. The installation of cutoff walls will not cause impacts below the OHWM. Bentonite slurry or Portland cement to construct cutoff walls will pose no threat to groundwater quality according to the Environmental Impact Report. The Project will temporarily disturb approximately 1.6 acres below the OHWM comprised of grass levee slopes. Upon completion of the Project, the area will be restored to pre-project conditions and seeded with a native grass mix.

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 3.10.3 of the American River Watershed Common Features, Sacramento River East Levee Contract 4, October 2022, Supplemental Environmental Impact Report/Environmental Assessment (SCH#2005072046) for the Project and the measures described in Section 4 of the Notice of Intent for the Project.

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 Jenna Yang at (916) 464-4764 or Jenna.Yang@waterboards.ca.gov.

Original Signed by Adam Laputz 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 4

Distribution List (email only)

Mary Pakenham-Walsh
United States Army Corps of Engineers
Sacramento District Office
Regulatory Division
SPKRegulatoryMailbox@usace.army.mil

Jennifer Hobbs
United States Fish & Wildlife Service
Jennifer_Hobs@fws.gov

Allison Lane
National Marine Fisheries
Allison.Lane@noaa.gov

Department of Fish and Wildlife, Region 2
R2LSA@wildlife.ca.gov

United States Environmental Protection Agency
R9CWA401@epa.gov

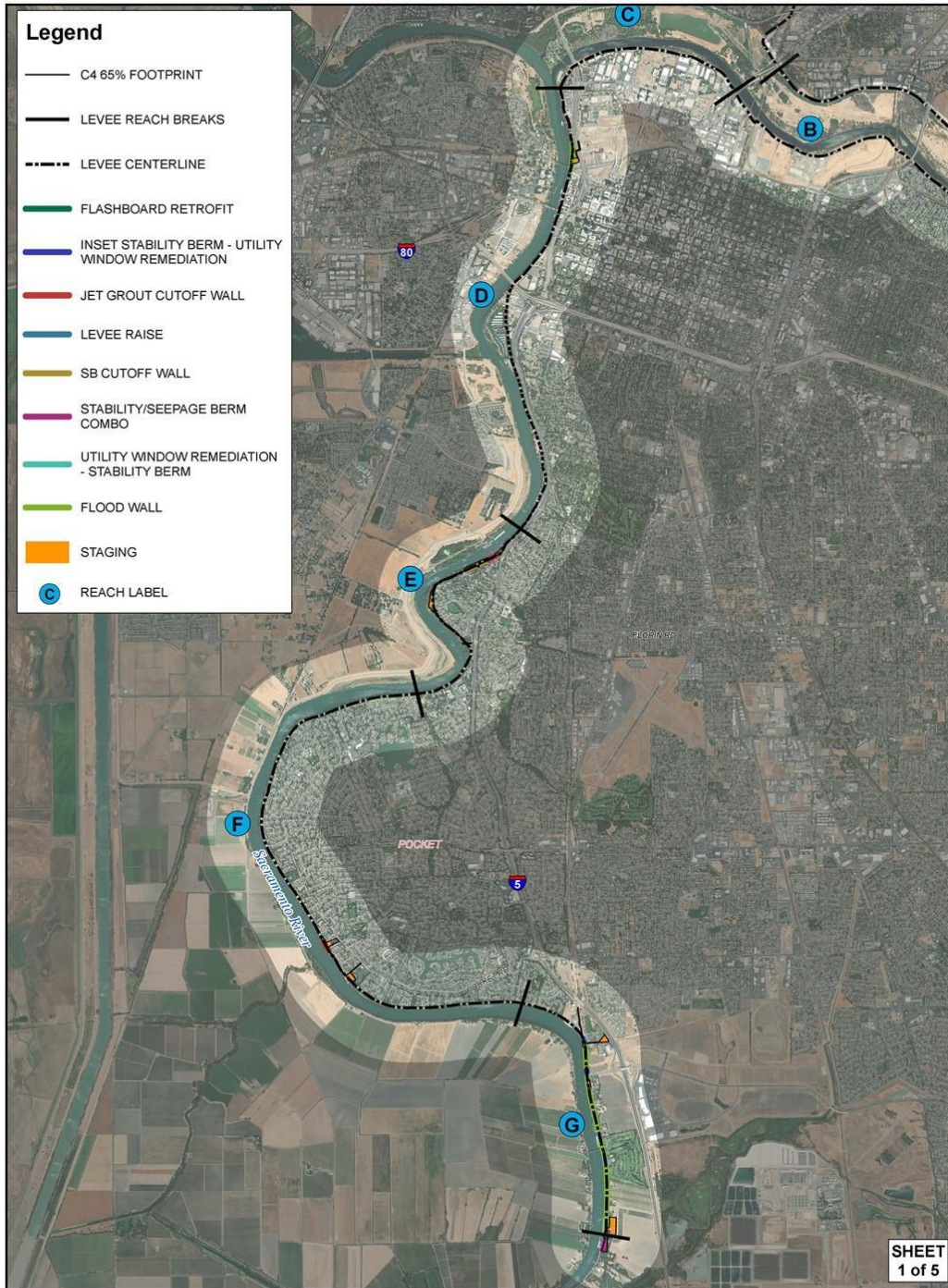
CWA Section 401 WQC Program
State Water Resources Control Board
Stateboard401@waterboards.ca.gov

Bill Jennings
CA Sportfishing Protection Alliance
DeltaKeep@me.com

Stephanie Tadlock
Central Valley Water Board
Stephanie.Tadlock@waterboards.ca.gov

Bailey Hunter
United States Army Corps of Engineers
Bailey.Hunter@usace.army.mil

Figure 1 – Project Location Map



 <p>US Army Corps of Engineers Sacramento District</p> 	<p>SREL C4 IMPROVEMENTS OVERVIEW</p> <p>ARCF 2016</p>	  <p>Date Saved: 3/6/2022 1:36:32 PM</p>	
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