

RECORD OF DECISION

American River Common Features Project Sacramento County, California

The Final General Reevaluation Report (GRR) and Environmental Impact Statement/Environmental Impact Report (EIS/EIR), dated December 2015 and revised May 2016, and the report of the Chief of Engineers, dated April 26, 2016, address flood risk management in the city of Sacramento, Sacramento County, California. Based on these reports, the reviews of other Federal, State and local agencies, Indian Tribal Nations, input from the public, and the review by my staff, I find the plan recommended by the Chief of Engineers to be technically feasible, economically justified, in accordance with environmental statutes, and in the public interest.

The Final GRR and EIS/EIR, incorporated herein by reference, evaluated various non-structural and structural alternatives to modifying the authorized project features to reduce flood risk along the Sacramento River, the American River, and the eastside tributaries in the Sacramento area. The plan recommended for implementation is Alternative 2 - Improve Levees and Widen the Sacramento Weir and Bypass. The recommended plan is the Locally Preferred Plan (LPP) and includes:

- **Sacramento River East Levee:**
 - Construct nine miles of slurry cutoff walls to address levee seepage and stability concerns;
 - Construct 10 miles rock bank protection to address erosion concerns;
 - Construct 2.5 miles of geotextile stabilized slope and two miles of slope flattening to address levee stability concerns; and,
 - Raise one mile of levee.
- **American River:**
 - Construct four miles of rock bank protection and launchable rock trenches on the right bank to address erosion concerns; and,
 - Construct seven miles of rock bank protection and launchable rock trenches on the left bank to address erosion concerns.
- **Eastside Tributaries:**
 - Construct four miles of slurry cutoff wall to address levee seepage and stability concerns along the Natomas East Main Drain (NEMDC) and Arcade Creeks;
 - Construct four miles of levee raises to address potential overtopping of floodwaters along Arcade Creek; and,
 - Raise approximately one mile of levee and extend the levee along Magpie Creek; and preserving 80 acres of floodplain.
- **Sacramento Bypass:**
 - Widen the Sacramento Weir and Bypass by 1,500 feet to reduce the water surface elevation in the Sacramento River and allow more water to flow into the Bypass system.
 - Construct a small structure to facilitate fish passage between the stilling basin of the widened Sacramento Weir and the Sacramento River to minimize fish

stranding and subsequent mortality. This additional work will be entirely paid by the non-Federal sponsor.

- Implement the environmental compensatory mitigation plan and associated monitoring and adaptive management plan. Monitoring will continue until the mitigation is determined to be successful based on the identified criteria within the compensatory mitigation plan. Monitoring is expected to last no more than 10 years following the completion of mitigation construction.

In addition to a “no action” plan, two alternatives were evaluated in the EIS/EIR: Alternative 1 included measures to improve the levees and Alternative 2, the recommended plan, included measures to improve the levees and measures to widen the Sacramento Weir and Bypass. Several other structural and non-structural alternatives were considered but were eliminated due to adverse environmental effects, greater cost relative to benefits, and/or substantial public opposition. In addition to being the LPP, the recommended plan is also the environmentally preferable alternative.

All practicable means to avoid or minimize adverse environmental effects were analyzed and incorporated into the recommended plan. An environmentally sustainable design for the flood risk management features, in regards to revegetation within the widened bypass area has been included to the extent possible. The project will result in unavoidable permanent impacts to 0.40 acres of wetland habitat, 0.25 acres to vernal pools, 2 acres to oak woodlands, 3,292 stems (70 acres) of elderberry shrub habitat utilized by Valley Elderberry Longhorn Beetle, 14 acres to shallow water habitat typically utilized by Delta Smelt, 34 acres of aquatic spawning habitat for Delta Smelt, 20 acres of instream habitat typically utilized by the Green Sturgeon, 150 acres to riparian habitat typically utilized by the Western Yellow-billed Cuckoo, 15 acres to aquatic habitat typically utilized by the Giant Garter Snake, and 30 acres of upland habitat typically utilized by the Giant Garter Snake. The project will result in unavoidable temporary impacts to 82,325 linear feet of shaded riverine aquatic habitat and 75 acres of upland habitat typically utilized by the Giant Garter Snake. To mitigate for these unavoidable impacts, the U.S. Army Corps of Engineers (Corps) will purchase credits at an approved mitigation bank equivalent to restoring habitat to 0.8 acres of wetlands, 0.5 acres of vernal pools, 42 acres of shallow water habitat, 32 acres of aquatic spawning habitat, 45 acres of aquatic habitat for Giant Garter Snake, and 90 acres of upland habitat for the Giant Garter Snake. At locations on- and off-site of the study area, the Corps will restore 301.2 acres of riparian habitat, 70.89 acres of elderberry shrubs, 4 acres of oak woodlands, 75 acres of upland habitat for the Giant Garter Snake, 20 acres of instream habitat for Green Sturgeon including fish passage, and replant 82,325 linear feet of shaded riverine aquatic habitat.

In accordance with Section 7 of the Endangered Species Act of 1973, as amended, the U.S. Fish and Wildlife Service (USFWS) issued a Biological Opinion (BiOp) on September 11, 2015 and National Marine Fisheries Service (NMFS) issued a BiOP on September 9, 2015. USFWS and NMFS both determined that the project,

including the Corps' proposed compensatory mitigation, will not jeopardize the existence of federally listed species or modify designated critical habitat. All terms and conditions resulting from these consultations shall be implemented in order to minimize take of threatened and endangered species.

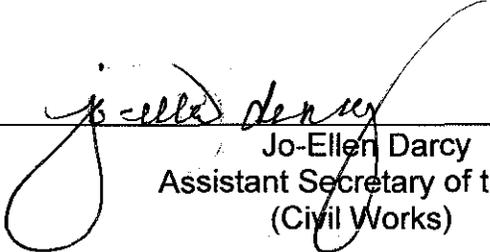
In accordance with Section 106 of the National Historic Preservation Act of 1966, as amended, the Corps determined that the recommended plan may adversely affect historic properties. The Corps and the California State Historic Preservation Office entered into a programmatic agreement, dated September 10, 2015. Under the programmatic agreement, the Corps commits to avoiding impacts to historic properties to the extent practicable. An Historic Properties Management Plan will be developed and implemented to address inadvertent discoveries and will identify appropriate mitigation measures such as data recovery, Historic American Building Survey/Historic American Engineering Record/Historic American Landscape Survey, oral histories, historic markers, exhibits, interpretive brochures or publications, or other means. All stipulations of the programmatic agreement shall be implemented in order to minimize adverse impacts to historic properties.

In accordance with the guidelines for specification of disposal sites for dredged or fill material under section 404(b)(1) of the Clean Water Act, the Corps determined that the recommended plan is the least environmentally damaging practicable alternative. Compensatory mitigation for unavoidable impacts to waters of the U.S. are incorporated in the project mitigation requirements. A water quality certification pursuant to section 401 of the Clean Water Act will be obtained from the California Central Valley Regional Water Quality Control Board (RWQCB) during the pre-construction engineering and design phase. In a letter dated December 2, 2015, the RWQCB indicated that they support implementation of the recommended plan. In a letter dated February 16, 2016, the RWQCB outlined the requirements for compliance. The Corps confirmed that the recommended plan is consistent with the RWQCB requirements and committed to developing and implementing a Stormwater Pollution Protection Plan, Spill Prevention Control and Countermeasures Plan, and a Bentonite Slurry Spill Contingency Plan during the pre-construction engineering and design phase.

In compliance with the Clean Air Act of 1963, as amended, the Corps will avoid and minimize impacts to air quality with the implementation of best management practices, including implementation of the Sacramento Metropolitan Air Quality Management District's Enhanced Exhaust Control Practices and the use of on-road hauling equipment manufactured in 2010 or later. The Corps will coordinate with the Sacramento County Department of Parks and Recreation, local recreation users and bike groups, implement best management practices for safety as flaggers, signage, detours, and fencing to notify and control recreation access and traffic around construction sites during construction, and restore recreation facilities directly impacted to pre-project conditions following construction to reduce significant impacts to recreation.

Technical, environmental, and economic criteria used in the formulation of alternative plans were those specified in the Water Resource Council's 1983 Economic and Environmental Principles and Guidelines for Water and Related Land Resource Implementation Studies. All applicable laws, executive orders, regulations and local government plans were considered in evaluation of alternatives. Based on review of these evaluations, I find the flood risk reduction benefits of the recommended plan outweigh the costs and any adverse effects. This Record of Decision completes the National Environmental Policy Act process.

August 29, 2016
Date


Jo-Ellen Darcy
Assistant Secretary of the Army
(Civil Works)