A1 NEPA Notice of Intent
DEPARTMENT OF DEFENSE
Department of the Army; Army Corps of Engineers

Notice of Intent To Prepare an Environmental Impact Statement for 408 Permission and 404 Permit to Three Rivers Levee Improvement Authority for the Feather River Levee Repair Project, California, Segment 2

AGENCY: Department of the Army, U.S. Army Corps of Engineers, DoD.

ACTION: Notice of intent.

SUMMARY: The action being taken is the preparation of an Environmental Impact Statement (EIS) for the issuance of both the 408 permission to the Central Valley Flood Protection Board and 404 Permit to Three Rivers Levee Improvement Authority (TRLIA) for their work on the Feather River Levee Repair Project (FRLRP). Under 33 U.S.C. 408, the Chief of Engineers grants permission to alter an existing flood control structure if it is not injurious to the public interest and does not impair the usefulness of such work. Under section 404 of the Clean Water Act, the District Engineer permits the discharge of dredged or fill material into waters of the United States if the discharge meets the requirements of the Environmental Protection Agency’s 404(b)(1) guidelines and is not contrary to the public interest. The FRLRP is located in Yuba County, CA. TRLIA is requesting this permission and permit in order to complete construction along the east levee of the Feather River.

DATES: A public scoping meeting will be held March 10, 2008, 3 to 6 p.m. at the Yuba County Government Center, 915 8th Street, Marysville, CA. Send written comments by April 9, 2008 to the address below.

ADDRESSES: Send written comments and suggestions concerning this study to Mr. John Suazo, U.S. Army Corps of Engineers, Sacramento District, Attn: Planning Division (CESPK–PD–R), 1325 J Street, Sacramento, CA 95814. Requests to be placed on the mailing list should also be sent to this address.

FOR FURTHER INFORMATION CONTACT: Questions about the proposed action and EIS should be addressed to John Suazo at (916) 557–6719, e-mail: john.suazo@usace.army.mil or by mail to (see ADDRESSES).

SUPPLEMENTARY INFORMATION:
1. Proposed Action. The U.S. Army Corps of Engineers is preparing an EIS to analyze the impacts of the work proposed by TRLIA from the implementation of the FRLRP, Segment 2. The FRLRP, Segment 2 is being constructed by TRLIA to improve flood protection to portions of Yuba County and Reclamation District (RD) 784.

2. Alternatives. The EIS will address an array of flood control improvement alternatives along Segment 2. Alternatives analyzed during the investigation will include a combination of one or more flood protection measures. These measures include seepage berms, stability berms, setback levees, seepage cutoff walls, and relocation of a pump station.

3. Scoping Process. a. The Corps has initiated a process to involve concerned individuals, and local, State, and Federal agencies. A public scoping meeting will be held on March 10, 2008 to present information to the public and to receive comments from the public.

b. Significant issues to be analyzed in depth in the EIS include effects on hydraulic, wetlands and other waters of the U.S., vegetation and wildlife resources, special-status species, cultural resources, land use, fisheries, water quality, air quality, transportation, and socioeconomics; and cumulative effects of related projects in the study area.

c. The Corps is consulting with the State Historic Preservation Officer to comply with the National Historic Preservation Act, and the National Marine Fisheries Service and the U.S. Fish and Wildlife Service to comply with the Endangered Species Act. Coordination with the National Marine Fisheries Service has been completed; coordination with U.S. Fish and Wildlife Service is still ongoing.

d. A 45-day public review period will be provided for individuals and agencies to review and comment on the draft EIS. All interested parties are encouraged to respond to this notice and provide a current address if they wish to be notified of the draft EIS circulation.

4. Availability. The draft EIS is scheduled to be available for public review and comment in early 2008.


Thomas C. Chapman,
COL, EN, Commanding.

BILLING CODE 3710–EZ–P

DEPARTMENT OF DEFENSE
Department of the Army; Army Corps of Engineers

Notice of Intent To Prepare an Environmental Impact Statement for the American River Common Features General Reevaluation Report, Sacramento, CA

AGENCY: Department of the Army, U.S. Army Corps of Engineers; DOD.

ACTION: Notice of intent.

SUMMARY: The action being taken is the preparation of an environmental impact statement (EIS) for the American River Common Features General Reevaluation Report (GRR). The Common Features Project GRR will re-evaluate the currently authorized plan as well as develop and evaluate other viable alternatives, including a locally-preferred plan, with the goal of identifying a comprehensive plan that will lower the risk of flooding in and around the City of Sacramento. The Common Features Project GRR is located in Sacramento, Sutter and Yolo Counties, CA.

DATES: A series of public scoping meetings will be held as follows:
1. March 5, 2008, 5 to 7 p.m. at The Elk’s Lodge.
2. March 6, 2008, 5 to 7 p.m. at Arden Park Community Center, Room A.
3. March 10, 2008, 3 to 6 p.m. at The Library Galleria East Meeting Room.
4. March 13, 2008, 5 to 7 p.m. at The Sierra Health Foundation.
Send written comments by April 11, 2008 to the address below.

ADDRESSES: Written comments and suggestions concerning this study may be submitted to Ms. Elizabeth Holland, U.S. Army Corps of Engineers, Sacramento District, Attn: Planning Division (CESPK–PD–R), 1325 J Street, Sacramento, CA 95814. Requests to be placed on the mailing list should also be sent to this address. The location of the public meetings is as follows: The Elks Lodge, 6446 Riverside Blvd., Sacramento, CA; Arden Park Community Center, 1000 La Sierra Drive, Sacramento, CA; Library Galleria, 828 “I” Street, Sacramento, CA; and Sierra Health Foundation, 1321 Garden Highway, Sacramento, CA.

FOR FURTHER INFORMATION CONTACT: Questions about the proposed action and EIS should be addressed to Liz Holland at (916) 557–6763, e-mail Elizabeth.g.holland@usace.army.mil or by mail to (see ADDRESSES).

SUPPLEMENTARY INFORMATION:
1. Proposed Action. The U.S. Army Corps of Engineers is preparing an EIS
to analyze the impacts of a range of alternatives that would lessen the risk of flooding in and around the City of Sacramento.

2. Alternatives. The EIS will address an array of flood control improvement alternatives that are intended to reduce flood risk within the project area. Alternatives analyzed during the investigation will include a combination of one or more flood protection measures. These measures include levee improvements (e.g., seepage berms, adjacent setback levees, seepage wells, seepage cutoff walls), revisions to system hydraulics through setbacks, levee raises, and/or more diversion of flow into the bypass system, and possible use of upstream lands for detention.

3. Scoping Process. a. A series of public scoping meetings will be held in early March, 2008 to present information to the public and to receive comments from the public. These meetings are intended to initiate the process to involve concerned individuals, and local, State, and Federal agencies.

b. Significant issues to be analyzed in depth in the EIS include effects on hydraulics, wetlands and other waters of the U.S., vegetation and wildlife resources, special-status species, esthetics, cultural resources, recreation, land use, fisheries, water quality, air quality, transportation, and socioeconomic; and cumulative effects of related projects in the study area.

c. The Corps is consulting with the State Historic Preservation Officer to comply with the National Historic Preservation Act and the U.S. Fish and Wildlife Service and National Marine Fisheries Service to comply with the Endangered Species Act. The Corps is also coordinating with the U.S. Fish and Wildlife Service to comply with the Fish and Wildlife Coordination Act.

d. A 45-day public review period will be provided for individuals and agencies to review and comment on the draft EIS. All interested parties are encouraged to respond to this notice and provide a current address if they wish to be notified of the draft EIS circulation.

4. Availability. The draft EIS is scheduled to be available for public review and comment in spring 2010.


Thomas C. Chapman,
COL, EN, Commanding.

DEPARTMENT OF DEFENSE

Department of the Navy

Meeting of the Ocean Research and Resources Advisory Panel

AGENCY: Department of the Navy, DoD.

ACTION: Notice.

SUMMARY: The Ocean Research and Resources Advisory Panel (ORRAP) will meet to discuss National Ocean Research Leadership Council (NORLC) and Interagency Committee on Ocean Science and Resource Management Integration (ICOSRMI) activities. All sessions of the meeting will be open to the public.

DATES: The meeting will be held on Tuesday, April 15, 2008 from 8 a.m. to 5:30 p.m. and Wednesday, April 16, 2008 from 8 a.m. to 1:30 p.m.

ADDRESS: The meetings will be held at the Consortium for Ocean Leadership located at 1201 New York Ave, Suite 420, Washington, DC.


SUPPLEMENTARY INFORMATION: This notice is provided in accordance with the provisions of the Federal Advisory Committee Act (5 U.S.C. App. 2). The meeting will include discussions on ocean research to applications, ocean observing, professional certification programs, and other current issues in the ocean science and resource management communities. In order to maintain the meeting time schedule, members of the public will be limited in their time to speak to the Panel. Members of the public should submit written comments at least one week prior to the meeting to Dr. Charles L. Vincent, Office of Naval Research, 875 North Randolph Street, Suite 1425, Arlington, VA 22203–1995, telephone: 703–696–4118.


T.M. Cruz,
Lieutenant, Office of the Judge Advocate General, U.S. Navy, Federal Register Liaison Officer.

BILLING CODE 3810–FF–P

DEPARTMENT OF DEFENSE

Department of the Navy

[USN–2008–0008]

Privacy Act of 1974; System of Records

AGENCY: Department of the Navy, DoD.

ACTION: Notice to Amend a System of Records.

SUMMARY: The Department of the Navy is amending a system of records notice in its existing inventory of record systems subject to the Privacy Act of 1974, (5 U.S.C. 552a), as amended.

DATES: This proposed action will be effective without further notice on March 31, 2008 unless comments are received which result in a contrary determination.


FOR FURTHER INFORMATION CONTACT: Mrs. Doris Lama at (202) 685–6545.

SUPPLEMENTARY INFORMATION: The Department of the Navy systems of records notices subject to the Privacy Act of 1974, (5 U.S.C. 552a), as amended, have been published in the Federal Register and are available from the address above. The specific changes to the record system being amended are set forth below followed by the notice, as amended, published in its entirety. The proposed amendments are not within the purview of subsection (r) of the Privacy Act of 1974, (5 U.S.C. 552a), as amended, which requires the submission of a new or altered system report.


L.M. Bynum,
Alternate OSD Federal Register Liaison Officer, Department of Defense.

N01000–3

SYSTEM NAME:


CHANGES:

SYSTEM NAME:

Delete entry and replace with “DoD Civilian/Military Service Review Board.”

SYSTEM LOCATION:

Delete entry and replace with “Naval Personnel Command (PERS–312), 5720
March 26, 2008

08SAC0046
03-SAC- 5 / 160 / 50 / 51 / 80
American River Common Features General Evaluation Report
Notice of Preparation
SCH# 2005072046

Ms. Annalena Bronson
Central Valley Flood Protection Board
3310 El Camino Avenue, Room LL-40
Sacramento, CA 95821

Dear Ms. Bronson:

We have reviewed the American River Common Features General Re-evaluation Report Notice of Preparation documentation. Our comments are as follows:

- Caltrans’ prior comments in our letters of July 27, 2005 and October 3, 2002 (copies enclosed) are still valid.

- In carrying out this project’s levee improvement activities, it is very likely that truck haul routes used in transporting soil, rock, borrow and cleared vegetation disposal materials to and from the various proposed sites along the American and Sacramento Rivers and Natomas Cross Canal and Natomas East Main Drainage Canal could involve the use of Interstate 5, State Route (SR) 160, U.S. 50, SR51, and I-80. We note on page 2 in the “Study Area” discussion and on Page 6’s map of the project levee areas that this “project’s” scope is quite large. Clarification should be made regarding which of the multiple levee improvement areas will use trucks and which will use waterside barges to transport work materials.

- If off-site levee materials are being transported by truck to these work sites to modify levee bank areas and are using adjoining State roadway facilities, a project Traffic Management Plan (TMP) will be necessary. The TMP should be prepared for our review and include appropriate strategies to mitigate construction traffic impacts to the nearby roadway intersections, freeway interchanges, and mainlines. Truck haul routes and points of access to State roadway facilities used should be clarified in the plan. If Garden Highway will be used as an access to some of the improvement areas, the TMP should explain how Garden Highway is to be accessed, whether from I-5 or via a local road network. The project’s individual levee site work plan dates should also be provided, if known, and the truck trip volumes. We recommend truck-hauling operations avoid peak traffic periods (6-10 AM and 3-7 PM) whenever possible. The Caltrans TMP Guidelines are enclosed for your use. For assistance, please contact Paul Wilkinson, the Caltrans District 3 Traffic Manager (DTM), at (916) 859-7978.

"Caltrans improves mobility across California"
• If electronic warning signs are provided within State right-of-way at work sites to alert the traveling public of trucks entering or leaving State highways, an encroachment permit will be required. For permit assistance, please contact Julio Elvir at (530) 741-4204.

• Caltrans is interested in the work zone proximity of this project’s planned levee improvements on the Sacramento River near the system of relief wells and piezometer installations near the downtown Sacramento I-5 freeway and within State property. Freeway Post Mile locations may have been established for these well and piezometer locations when they were installed to help prevent levee seepage near the subgrade section of Interstate 5 (more commonly called, “the Boat Section”). The distance of well locations from freeway bridge footings might have been specified as well to help locate where they are. We understand that Encroachment Permit # 0304-NMC-0918 was obtained from Caltrans District 3 in prior years when this installation work was done. Caltrans wishes to make sure that these wells and piezometer locations are not disturbed during the levee bank work. Preliminary planning installation maps, showing where the wells and piezometers were located in relation to our right-of-way lines and freeway facilities, and “As Built” maps, were prepared for Caltrans to update its right of way records of the Interstate 5 freeway corridor.

If you have any questions regarding these comments, please contact Ken Champion at (916) 274-0615.

Sincerely,

Dawn Cheser, Office Chief
Office of Transportation Planning - South

Enclosure

c: Scott Morgan, State Clearinghouse
July 27, 2005

05SAC0112
03-SAC-99 PM 35.370
American River Watershed Project Common Features
Sacramento River East Levee & Natomas Cross Canal Levee Modifications
Notice of Preparation
SCH# 2005072046

Ms. Annalena Bronson
The Reclamation Board
3310 El Camino Avenue, Room 110
Sacramento, CA 95821

Dear Ms. Bronson:

We have reviewed the Sacramento River East and Natomas Cross Canal Levee Modifications Project Notice Of Preparation documentation. We look forward to reviewing the draft Environmental Impact Report. Our comments are as follows:

- Our comments provided in our letter of October 3, 2002 (copy enclosed) are still valid.

- The document map of the Sacramento River work site shows Elverta and Power Line Roads as potential access roadways. If off-site levee materials are being transported by truck to this work site to modify these levees and are using adjoining State roadway facilities, a project Traffic Management Plan (TMP) will be necessary. The TMP should be prepared for our review and include appropriate strategies to mitigate construction traffic impacts to the nearby State Route 99/Elverta Road intersection and other nearby freeway interchanges. The TMP should also clarify whether Interstate 5 would be used via Power Line Road. The Caltrans TMP Guidelines are enclosed for your use. Truck haul routes and points of access to State roadway facilities used should be clarified in the plan. The planned project initiation and completion dates should also be noted, as well as truck trip volumes, daily hours of operations, and whether electronic warning signs are provided to alert the traveling public. We recommend truck hauling operations during non-peak traffic periods.

Please provide our office with a copy of the draft TMP requested above. If you have any questions regarding these comments, please contact Ken Champion at (916) 274-0615.

Sincerely,

KATHERINE EASTHAM, Chief
Office of Transportation Planning - Southwest

"Caltrans improves mobility across California"
Enclosures

c:  Scott Morgan, State Clearinghouse
    Sutter County Community Services
    1130 Civic Center Boulevard, Suite E
    Yuba City, CA 95993

bc:  John Holzhauser, Office of Traffic Operations – Sacramento
     Michelle Millette, District 3 – Sutter County LDR Coordinator
     Ken Champion, District 3 – Sacramento County LDR Coordinator

KC/ kc
October 3, 2002

02SAC0114
03-SAC- 99
American River Watershed Project (Common Features)
California Sacramento River East Levee/Natomas Cross Canal Levee Modifications
Notice of Preparation
SCH#1999052026

Ms. Karen Enstrom
Reclamation Board
1416 Ninth Street, Room 1601
Sacramento, CA 95814

Dear Ms. Enstrom:

Thank you for the opportunity to comment on the above mentioned project. Our comments are as follows:

- The project documentation should provide a map (s) describing the project “activity areas” and any nearby State highway facilities in order to clarify the scope of project and potential impacted highway and bridge structure areas.

- Any flood control improvements and protection measures located near State right-of-way should be identified and Caltrans should be notified. Any work conducted within State right-of-way will require an encroachment permit. For assistance, Bruce Capaul at (530) 741-4408 should be contacted.

- Haul routes for transporting soil and construction materials and any State highways used should be provided in the project discussion.

Please provide our office with the requested information, a copy of the DEIR, copies
of draft mitigation measures, and any further action regarding this project. If you have any questions regarding these comments, please contact Ken Champion at (916) 274-0615.

Sincerely,

JEFFREY PULVERMAN, Chief
Office of Regional Planning

bc: John Holzhauser, Office of Traffic Operations – Sacramento
    Karen Peneschi, Office of Advance and System Planning
    Steve Hetland, Special Funded - Sacramento
    Jim Adams, Office of Right of Way Engineering
    Tom Ganyon, Office of Right of Way-Local Assistance
    Dennis Jagoda, Hydraulics
    Bruce Capaul, Permits
    KenChampion, District 3 – Sacramento County LDR Coordinator

KC/ kc
Posters from March 2008 Scoping Meetings
Flooding is a long-standing problem facing the Sacramento area. The recent floods of 1986 and 1997 devastated several communities, including homes, businesses, orchards and farmlands. In 1996 the Water Resources Development Act authorized the American River Common Features Project (CFP), designed to lessen flood risks in Sacramento. Since the authorization of the CFP 12 years ago, a great deal of progress has been made to improve the flood control system. However, new information and issues have been identified and new engineering standards have been instituted. As a result, there are continuing concerns about the integrity of Sacramento’s flood control management system.

As a result, the U.S. Army Corps of Engineers plans to conduct a re-evaluation report called the American River Common Features General Re-evaluation Report (Common Features GRR) that will look at the existing CFP with the purpose of identifying alternatives to lower the risk of flooding to the City of Sacramento. The Common Features GRR will examine the City’s flood management system as a whole, rather than on a site-by-site, project-by-project basis.

The purpose of the Common Features GRR is to review the CFP with the aim of making recommendations for changes or additions that will effectively and efficiently reduce flood risks within the American River Watershed. This includes the flood control features along the American and Sacramento Rivers that provide protection to the City of Sacramento and surrounding areas.

In a separate effort, the Sacramento Area Flood Control Agency (SAFCA) is currently working on a flood control program specific to Natomas to provide the area with 100-year flood protection as soon as possible, and ultimately, in cooperation with this study, 200-year protection. These improvements could be completed before the Common Features GRR is conducted because of the high risk of catastrophic flooding in Natomas. It is anticipated that SAFCA’s program will eventually be incorporated into the Common Features GRR.
The Corps’ “Beehive” diagram represents the six planning steps and the iterative process of Corps project planning. Corps decision making is generally based on the accomplishment and documentation of all of these steps. It is important to stress the iterative nature of this process. As more information is acquired and developed, it may be necessary to reiterate some of the previous steps. The six steps, though presented and discussed in a sequential manner for ease of understanding, usually occur iteratively and sometimes concurrently. Iterations of steps are conducted as necessary to formulate efficient, effective, complete and acceptable plans.

**Completed and Ongoing Projects**

A great deal of progress has been made since the major flood events in 1986 and 1997. The projects listed below are examples of recent efforts to increase the level of flood protection in the Sacramento area. These efforts will inform and be coordinated with the Common Features GRR planning process.

**American River Common Features Projects**

- Slurry Wall Construction along the Lower American River (24 miles completed)
- Upstream Telemetry Gages (completed)
- Erosion Protection (4 sites completed)
- Jet Grouting/Alternative Methods (ongoing)
- Seepage Remediation along the Sacramento River (completed)
- Mayhew Levee Raise and Drain Closure (under construction)
- Levee Raising and Strengthening (various sites remaining)

**Other Major Flood Protection Projects**

- Folsom Dam Reoperation (ongoing)
- Natomas Levee Improvement Project (ongoing)
- Sacramento River Bank Protection Project (Corps/CVFPB) (ongoing)
- West Sacramento Levee Improvement Project (Corps/City of West Sacramento) (ongoing)
- South Sacramento Streams Group Project (Corps/SAFCA) (ongoing)
- Joint Federal Project at Folsom Dam (Corps/Bureau of Reclamation/CVFPB/SAFCA)
Typical Levee Deficiencies

Encroachments, Unstable Slopes, Erosion

- Unstable Slopes - irregular or overly steep slopes compromise the levee structure
- Encroachments including pools, homes, vegetation
- Erosion - water flow, wakes and waves, remove soil material, degrading the levee
Seepage and Inadequate Freeboard

- **Levee Instability** - Saturated soil and sand layers may cause levee slopes to slump, or levee foundation to settle, risking levee failure at flood stage.

- **Free Board** - Levee height may be too low relative to predicted water levels.

- **Through Seepage** - When the river is near flood stage, high water pressure at some locations causes seepage through the levee.

- **Underseepage** - High river levels lead to underseepage through sand and gravel soils. High water pressure beneath the surface can emerge at the land-side levee toe, causing sand boils, and can also appear at the surface up to several hundred feet on the land-side of the levee.

- **Inadequate Freeboard** - levee height may be too low relative to predicted water levels
IMPROVEMENTS TO FLOOD CONTROL FEATURES THAT ADDRESS STABILITY, EROSION AND FREEBOARD

**Setback Levee** (stability, seepage, & freeboard)

- Concept: A new levee is built toward the landside of an existing levee where the existing levee is not readily repairable or where more flooding capacity is desired.

**Adjacent Levee Raise** (stability, seepage, & freeboard)

- Concept: A new embankment strengthens the existing levee and enlarges the slopes.

**Diversion to Bypass System** (seepage, stability, & freeboard)

- Concept: Reducing water surface elevations by modifying diversion to the bypass system may also reduce seepage and stability issues by reducing hydrostatic pressure. Lower water surface elevations will also alleviate freeboard issues.
Potential Solutions

IMPROVEMENTS TO LEVEES THAT ADDRESS STABILITY, EROSION AND FREEBOARD

Stability Berm (stability)

Concept:
Provides additional support to levee to increase strength.

Slope Flattening (stability)

Concept:
Flatter slopes are more stable and less susceptible to erosion. Excess vegetation may inhibit levee maintenance and performance monitoring.

Rock Slope Protection (erosion)

Concept:
Water side erosion is prevented by placement of rock.

Biotechnical Erosion Protection (erosion)

Concept:
Placing rock revetment at toe of eroding levee controls erosion. Installing biotechnical features replaces habitat and further controls erosion.

Flood Wall (freeboard)

Concept:
Additional levee height may be achieved through construction of a concrete wall on the levee crown.

In-Place Levee Raise (freeboard)

Concept:
Flood protection is increased by adding material to crown and levee slope (land or water side).
IMPROVEMENTS TO LEVEES THAT ADDRESS SEEPAGE

**Slurry Wall (seepage)**
- Concept: Water pressure is contained and dispersed by a low-permeability wall constructed within the levee cross section.

**Sheet Pile Wall (seepage)**
- Concept: Steel panels are driven into the levee core to provide a seepage barrier.

**Relief Well (seepage)**
- Concept: Water pressure is relieved via passive wells, which control water discharge into a collection system.

**Seepage Berm (seepage)**
- Concept: Water pressure is contained and dispersed by a thickened soil layer.

**Interior Drain (seepage)**
- Concept: Capture any through-seepage and direct it away from the face of the levee.
The process of determining the scope, focus and content of an EIS/EIR is known as “scoping”. Scoping is a part of the NEPA/CEQA process in which the general public, interested agencies and stakeholders provide comments to the Lead Agency to help identify the key issues, range of actions, alternatives, and environmental affects to be analyzed in the EIS/EIR.

The following issues related to this project have been identified to date:

- Riparian vegetation and habitat effects;
- Cultural resources;
- Flood control and river hydraulic effect;
- Location of flood control infrastructure and effects on land use and access;
- Construction related effects such as those related to transportation, noise, and air quality;
- Economic issues
**What is an EIS/EIR?**

An EIS (Environmental Impact Statement) and an EIR (Environmental Impact Report) are documents that are required to comply with the National Environmental Policy Act (NEPA) and the California Environmental Quality Act (CEQA), respectively. The purpose of these documents is to analyze and disclose a project’s potential effects on the natural and human environment and identify conservation measures and alternatives to avoid significant effects.

An EIS is prepared when there is Federal involvement in the project and an EIR is prepared when the project is subject to State or local jurisdiction. A joint document, an EIS/EIR, may be prepared when both a Federal and State agency are involved. The major steps to complying with both acts are outlined below.

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**Notice of Intent**: Official notice that an environmental document is being prepared.

**Scoping**: Defines the scope of the study by identifying issues and soliciting comments from the general public, agencies, and jurisdictions.

**Draft EIS**: Describes the purpose and need/proposed project; alternatives considered; alternatives rejected or accepted; and a comprehensive evaluation of the environmental impacts that the alternatives would likely cause, and conceptual mitigation.

**Public and Agency Review**: At least a 45-day period during which the public and agencies review the draft document and submit comments to the lead agencies.

**Final EIS**: Addresses the comments on the draft document and from any public hearing, presents the final evaluation of project-induced environmental impacts and ways to mitigate unavoidable impacts.

**Agency Decision/Record of Decision**: Lead agency uses information from the final document and the project record to issue a decision and document commitments and mitigation.
NOTICE OF PREPARATION

To: Agencies and Interested Parties

From: Sacramento Area Flood Control Agency

Date: November 5, 2009

Subject: Announcement of:


2) Public Scoping Meeting to be held on November 18, 2009; and

3) Scoping Comments due by December 4, 2009

The Sacramento Area Flood Control Agency (SAFCA) and the U.S. Army Corps of Engineers (USACE), Sacramento District, intend to prepare a “joint” environmental impact statement (EIS)/environmental impact report (EIR), consistent with the National Environmental Policy Act (NEPA) (42 United States Code [USC] Section 4321 et seq.) and the California Environmental Quality Act (CEQA) (California Public Resources Code [PRC], Section 21000 et seq.; see also 14 California Code of Regulations [CCR] Sections 15220, 15222 [State CEQA Guidelines]), for the Natomas Post-authorization Change Report (Natomas PACR)/Natomas Levee Improvement Program (NLIP), Phase 4b Landside Improvements Project (Phase 4b Project) in the Natomas Basin in Sacramento and Sutter Counties, California. USACE, Sacramento District, will be the Federal lead agency for purposes of complying with NEPA, and SAFCA will be the state lead agency for compliance with CEQA.

PURPOSE OF THE NOTICE OF PREPARATION

In accordance with the State CEQA Guidelines (CCR Section 15082), SAFCA has prepared this notice of preparation (NOP) to inform responsible and trustee agencies and interested parties that an EIS/EIR will be prepared. The purpose of an NOP is to provide sufficient information about the proposed project and its potential environmental impacts to allow the Governor’s Office of Planning and Research (OPR), responsible and trustee agencies, Federal agencies involved in approving or funding a project, and interested parties the opportunity to provide a meaningful response related to the scope and content of the EIS/EIR, including the significant environmental issues, reasonable alternatives, and mitigation measures that the responsible or trustee agency, or the OPR, will need to have explored in the EIS/EIR (State CEQA Guidelines CCR Section 15082[b]).

The project location, description, and probable environmental effects of the proposed project are presented below. An initial study has not been prepared because the EIS/EIR will address all issue areas and it is already known that the proposed project could have a significant effect on the environment. The EIS/EIR will also include feasible mitigation measures, where available, and consideration of a reasonable range of alternatives to avoid or substantially reduce the proposed project’s significant adverse environmental impacts.

The purposes of this NOP are to:

1. briefly describe the proposed project and the anticipated content of the EIS/EIR to be prepared for the proposed project;
2. announce the public scoping meeting to facilitate public input and to be held: November 18, 2009, from 4:30 to 6:30 p.m. at South Natomas Community Center (Activity Room) located at 2921 Truxel Road in Sacramento, California; and

3. solicit input by December 4, 2009, from Federal, state, regional, and local agencies, and from interested organizations and individuals about the content and scope of the EIS/EIR, including the alternatives to be addressed and the potentially significant environmental impacts.

**INTRODUCTION TO THE PHASE 4b PROJECT**

The Phase 4b Project consists of improvements to a portion of the Natomas Basin’s perimeter levee system (see Exhibits 1, 2, and 3 below) in the City of Sacramento and in Sutter and Sacramento Counties, California, associated landscape and irrigation/drainage infrastructure modifications, and habitat creation and management. A more detailed project description is provided below.

To implement the Phase 4b Project, SAFCA is requesting permission from USACE pursuant to Section 14 of the Rivers and Harbors Act of 1899 (33 United States Code [USC] 408, referred to as “Section 408”) for alteration of Federal project levees; Section 404 of the Clean Water Act (33 USC 1344) for placement of fill into jurisdictional waters of the United States; and Section 10 of the Rivers and Harbors Act of 1899 (33 USC 403) for work performed in, over, or under navigable waters of the United States (such as excavation of material from or deposition of material into navigable waters).

SAFCA may also need to obtain several state, regional, and local approvals or permits to implement the Phase 4b Project in the event that USACE does not receive authorization to construct the Phase 4b Project. These include: CVFPB encroachment permit; California Surface Mining and Reclamation Act permit; Clean Water Act Section 401 water quality certification; Clean Water Act Section 402 National Pollutant Discharge Elimination System permit; California Fish and Game Code Section 2081 incidental take authorization; California Fish and Game Code Section 1602 streambed alteration agreement; encroachment permits from the California Department of Transportation, Sacramento County, Sutter County, and City of Sacramento; and authority to construct authorization from the Sacramento Metropolitan Air Quality Management District and the Feather River Air Quality Management District.

**RELATIONSHIP TO OTHER U.S. ARMY CORPS OF ENGINEERS PLANNING DOCUMENTS**

The EIS/EIR will support the approval of USACE’s Natomas Basin General Re-evaluation Report (GRR) and Natomas PACR. The EIS/EIR will also support the final project phase of the NLIP, the Phase 4b Project.

The Natomas GRR covers the Sacramento Metropolitan Area. The American River drainage basin covers about 2,100 square miles northeast of Sacramento and includes portions of Placer, El Dorado, Sutter, and Sacramento Counties. The Natomas GRR considers flood risk management for the Natomas Basin. The GRR will consider the existing flood risk reduction projects together as a system, with the purpose of developing analysis tools that consider the flood risk reduction system as a whole and identifying a comprehensive plan that will lower the flood risk in Sacramento. Accordingly, USACE, SAFCA, and the California Department of Water Resources (DWR) seek to integrate planning, design, and implementation of enhanced flood risk reduction measures within the Natomas Basin study area.

The Natomas GRR will ultimately be incorporated into a larger and more broadly scoped investigation called the American River Common Features Project (Common Features Project) GRR. The Common Features Project GRR will consider the Sacramento River downstream of the American River to Freeport where Beach Lake levee forms the southern flank of the City of Sacramento’s flood defenses. It should be noted that there are three basins in the GRR analysis that will be considered in the future: the American River-North Basin, Natomas Basin, and
the Greater Sacramento Basin located south of the American River. However, only the Natomas Basin is the subject of this EIS/EIR.

The Natomas GRR schedule has been accelerated due to the risk of levee failure in the Natomas Basin. The accelerated schedule will allow USACE to begin construction in 2011 and reduce the risk of flooding and billions of dollars of property damage in the Natomas Basin.

The EIS/EIR will summarize the NLIP project phases already completed by SAFCA and how the NLIP relates to USACE’s Natomas Basin GRR and PACR. The EIS/EIR will be used for Natomas Basin GRR approval, for preparation of the Natomas PACR, and to support implementation of the Phase 4b Project. USACE plans to implement the Phase 4b Project. In the event the Natomas PACR is not approved by Congress, however, the EIS/EIR will support SAFCA’s implementation of the Phase 4b Project should SAFCA choose to proceed without Federal participation.

**RELATIONSHIP TO THE NATOMAS LEVEE IMPROVEMENT PROGRAM**

The Phase 4b Project is a subphase of one of the four project phases of the NLIP Landside Improvements Project. The overall purpose of the NLIP is to bring the entire 42-mile Natomas Basin perimeter levee system into compliance with applicable Federal and state standards for levees protecting urban areas. The NLIP was first evaluated in SAFCA’s programmatic *EIR on Local Funding Mechanisms for Comprehensive Flood Control Improvements for the Sacramento Area* (State Clearinghouse No. 2006072098). Volume II of that EIR contained a project-level evaluation of the Natomas Cross Canal South Levee Phase 1 Improvements (Phase 1 Project).

In 2007, SAFCA prepared the *EIR on the NLIP Landside Improvements Project* (Phase 2 EIR, State Clearinghouse No. 2007062016), which covers the three additional phases of “landside” improvements to the levees protecting the Natomas Basin, including the Phase 2 Project, Phase 3 Project, and Phase 4 Project. The Phase 2 Project was analyzed at a project-level and the remainder of the Landside Improvements Project (Phase 3 and 4 Projects) was analyzed at a program-level in the Phase 2 EIR. On November 29, 2007, the SAFCA Board of Directors certified the EIR and approved the Phase 2 Project. Following completion of the Phase 2 EIR, USACE prepared an EIS to meet USACE’s NEPA requirements to support USACE’s decisions on the permissions and permitting under Sections 408, 404, and 10. A record of decision (ROD) was signed by USACE in January 2009. The Phase 2 EIS also contained a project-level analysis of the Phase 2 Project and a program-level analysis of the Phase 3 and 4 Projects. Since certification of the Phase 2 EIR, SAFCA made modifications and refinements to the design of the Phase 2 Project. A supplemental EIR (SEIR) was prepared by SAFCA to evaluate these modifications, which the SAFCA Board of Directors certified in January 2009, at which time the Board also approved the modifications to the Phase 2 Project.

The Phase 3 Project was analyzed at a project-level in the *DEIS/DEIR on the NLIP Phase 3 Landside Improvements Project* (Phase 3 DEIS/DEIR, State Clearinghouse No. 2008072060), which was released for public review on February 13, 2009. Following public review, SAFCA prepared an FEIR to provide responses to comments on the Phase 3 DEIS/DEIR. The SAFCA Board of Directors certified the FEIR and approved the Phase 3 Project in May 2009. Separately, USACE prepared an FEIS to provide responses to comments received on the Phase 3 DEIS/DEIR; the Phase 3 FEIS was issued for public review in August 2009. After consideration of all comments received, USACE will consider whether to grant Section 408 permission, which will be documented in a ROD, in December 2009/January 2010. To construct the Phase 3 Project with minimal interruption of and conflict with drainage/irrigation services and special-status wildlife habitat (giant garter snake), some Phase 3 Project components (canal work, utility relocation, vegetation removal, and demolition of structures) need to be constructed in late 2009 and early 2010 in advance of the Phase 3 Project’s major levee construction, which would begin in 2010. To facilitate this staged construction, a staged permitting approach was implemented for the Phase 3 Project. Specifically, irrigation and drainage infrastructure (termed the Phase 3a Project) was permitted by USACE and the Central Valley Regional Water Quality Control Board (Central Valley RWQCB) under Sections 404 and 401, respectively, of the Clean Water Act, in October 2009; this work would occur in late 2009.
and early 2010, in advance of Phase 3 Project levee construction. Some vegetation removal also would occur during the non-nesting season for raptors and other bird species. A separate, but related, set of permits for the Phase 3 Project’s Sacramento River east levee construction and related pumping plant improvements (termed the Phase 3b Project) is anticipated in late 2009; this work would occur in 2010 and 2011. The potential exists for up to 30% of the Phase 2 Project also to be constructed in 2010, concurrent with Phase 3 Project construction, or even potentially concurrently with the Phase 4a Project, depending on the timing and availability of funding and receipt of all required environmental clearances and permits.

The Phase 4 Project consists of two subphases (4a and 4b) to provide the flexibility to construct this phase over more than one construction season. The Phase 4 Project was analyzed at a program-level in the Phase 2 EIR. Each subphase has its own independent utility, can be accomplished with or without the other subphase, and provides additional flood risk reduction benefits to the Natomas Basin whether implemented individually or collectively. The Phase 4a Project was analyzed at a project-level in the DEIS/DEIR on the NLIP Phase 4a Landside Improvements Project (Phase 4a DEIS/DEIR, State Clearinghouse No. 2009032097), which was released for public review on August 28, 2009. Similar to the Phase 3 Project, USACE and SAFCA are preparing a separate FEIS and FEIR, respectively. The SAFCA Board of Directors will consider certification of the EIR and Phase 3 Project approval at its November 13, 2009 Board meeting. Separately, USACE will prepare an FEIS and issue it for a 30-day public review in early 2010. Phase 4a Project construction is planned to begin in 2010 and is anticipated to be completed in 2011, assuming receipt of all required environmental clearances and permits.

**PROJECT OBJECTIVES OF THE NATOMAS LEVEE IMPROVEMENT PROGRAM**

The following objectives were adopted by SAFCA in connection with the NLIP: (1) provide at least a 100-year level of flood risk reduction (0.01 Annual Exceedance Probability [AEP]) to the Natomas Basin as quickly as possible, (2) provide 200-year flood risk reduction to the Basin over time (0.005 AEP), and (3) avoid any substantial increase in expected annual damages as new development occurs in the Basin. The first two project objectives would reduce the residual risk of flooding sufficiently to meet the minimum requirements of Federal and state law for urban areas like the Natomas Basin. The third project objective is a long-term objective of SAFCA’s.

Additional project objectives that have informed SAFCA’s project design are to: (1) use flood damage reduction projects in the vicinity of the Sacramento International Airport (Airport) to facilitate management of Airport lands in accordance with the Airport’s *Wildlife Hazard Management Plan* (Sacramento County Airport System [SCAS] 2007); and (2) use flood damage reduction projects to increase the extent and connectivity of the lands in the Natomas Basin being managed to provide habitat for giant garter snake, Swainson’s hawk, and other special-status species.

**PROPOSED PHASE 4b PROJECT**

The Phase 4b Project would address underseepage, stability, erosion, penetrations, and levee encroachments along approximately 3.4 miles of the Sacramento River east levee in Reaches 16–20, approximately 6.4 miles of the Natomas East Main Drainage Canal (NEMDC) west levee between Elkhorn Boulevard and Sankey Road, and the windows left in the improvements done by the of previous phases at levee penetrations and road crossings on Natomas Cross Canal (NCC) south levee. The Phase 4b Project would also include relocation of the existing irrigation and drainage canals landside of the levee slopes, relocation and modifications of the pumping stations, bridges, encroachments, and any penetrations of the levee embankment. Removal of the vegetation within the levee right-of-way to address USACE requirements and any environmental mitigation are also included in the Phase 4b Project.
The Phase 4b Project includes the following major activities anticipated to begin in spring 2011, which will be analyzed at a project-level in the Phase 4b EIS/EIR:

- **Sacramento River East Levee Reaches 16–20: Levee widening/rehabilitation and seepage remediation**—Construct an adjacent levee with flattened landside slope and cutoff walls, seepage berms, and relief wells, where required, to reduce potential underseepage and seepage through the levee. Cutoff wall construction would be conducted 24 hours per day, 7 days per week (24/7).

- **American River North Levee Reaches 1–4: Slope flattening and seepage remediation**—Flatten the slope and install cutoff walls in the American River north levee from just east of Gateway Oaks Drive to Northgate Boulevard. Cutoff wall construction would be conducted 24/7.

- **NEMDC West Levee—Northern Segment: Levee raising, slope flattening, and seepage remediation**—Raise the levee in place or construct an adjacent levee, flatten slopes, and install cutoff walls from Sankey Road to just south of Elkhorn Boulevard. Cutoff wall construction would be conducted 24/7.

- **Pleasant Grove Creek Canal (PGCC) and NEMDC South: Levee raising and slope flattening**—Raise the levee in place or construct an adjacent levee and flatten slopes on the PGCC southwest levee and on the NEMDC southwest levee from Elkhorn Boulevard to Northgate Boulevard.

- **PGCC and NEMDC South: Waterside improvements**—Erosion repair and rock slope protection at locations where erosion around the outfall structures penetrating the levee was observed. Construct additional remediation to protect against damage caused by beavers and burrowing animals.

- **PGCC Culvert Remediation**—Upgrade or remove five culverts that currently drain the area east of the PGCC by passing water under the canal to canals along the landside of the PGCC southwest levee. Under the culvert removal option, construct detention basins east of the PGCC levee to provide replacement storage for drainage. Depending on the design of the detention basins, pumping stations may be needed to discharge water out of the basins and into the PGCC.

- **State Route (SR) 99 NCC Bridge Remediation**—Construct a moveable barrier system or a stop log gap at the south end of the SR 99 bridges to be used at high river stages to prevent overflow from reaching the landside of the NCC south levee. Modify the bridge deck connections to the supporting piers and abutments as needed to resist uplift pressure during high water stages. Install additional seepage remediation consisting of seepage cutoff walls where the bridges cross the NCC south levee.

- **West Drainage Canal**—Realign the West Drainage Canal to shift an approximately 1-mile portion, starting at Interstate 5 (I-5), to an alignment farther south of the Airport Operations Area. Modify the existing canal east of the alignment to reduce bank erosion and sloughing, decrease aquatic weed infiltration, improve Reclamation District (RD) 1000 maintenance access, and enhance giant garter snake habitat connectivity.

- **Riego Road Canal (Highline Irrigation Canal) Relocation**—Relocate approximately 4,000 feet of irrigation canal, approximately 250 feet of buried irrigation piping, and three irrigation turn-out structures away from the proposed levee footprint for the northern segment of the NEMDC west levee.

- **NCC South Levee Ditch Relocations**—Relocate the Vestal Drain ditch and Morrison Canal to reduce underseepage potential in Reaches 2, 5, and 6 of the NCC south levee.

- **Modifications to RD 1000 Pumping Plants**—Raise and/or replace the discharge pipes for Pumping Plant Nos. 1A and 1B along the Sacramento River east levee, and Pumping Plant Nos. 6 and 8 along the NEMDC west levee, to cross the levee above the 0.005 AEP design water surface elevation. Construct new outfall structures for Pumping Plant Nos. 6 and 8, requiring dewatering of portions of the NEMDC. Construction would be conducted 24/7.
► **Modifications to City of Sacramento Sump Pumps**—Raise and/or replace the discharge pipes for City Sump 160 (Sacramento River east levee Reach 19B), City Sump 58 (American River north levee), and City Sump 102 (NEMDC west levee at Gardenland Park) to cross the levee above the 0.005 AEP design water surface elevation. Construct new outfall structures, requiring dewatering of portions of the Sacramento River, the low-flow channel of the NEMDC along the waterside of the American River north levee, and the NEMDC. Relocate pump stations as needed to accommodate the proposed levee improvements. Construction would be conducted 24/7.

► **Borrow Site Excavation and Reclamation**—Excavate earthen material at the borrow sites and then return the sites to preconstruction uses or suitable replacement habitat. For levee improvements along the Sacramento River east levee (Reaches 16–20) and the American River north levee (Reaches 1–4), the South Fisherman’s Lake Borrow Area and the West Lakeside School Site (Exhibit 2) are anticipated to be the primary source of soil borrow material. The Triangle Properties Borrow Area (Exhibit 3) would be the primary source of borrow material for levee improvements along the PGCC and NEMDC North. The South Fisherman’s Lake Borrow Area, the West Lakeside School Site, and the Triangle Properties Borrow Area Areas will be fully analyzed in the EIS/EIR.

The Fisherman’s Lake Borrow Area, which was fully analyzed in the Phase 4a DEIS/DEIR, could provide additional borrow material for the Phase 4b Project. The Krumenacher borrow site and Twin Rivers Unified School District stockpile site (Exhibit 2), which were fully analyzed in the Phase 3 DEIS/DEIR and Phase 4a DEIS/DEIR, would be the source of borrow material for improvements to NEMDC South and back-up sources for NEMDC North.

► **Habitat Creation and Management**—Enhance connectivity between northern and southern populations of giant garter snake in the Natomas Basin by improving habitat conditions along the West Drainage Canal, and establish woodlands consisting of native riparian and woodland species in or around the Natomas Basin as compensation for woodland impacts along the Sacramento River east levee (Reaches 16–20), American River north levee, and NEMDC west levee.

► **Infrastructure Relocation and Realignment**—Relocate and realign private irrigation and drainage infrastructure (wells, pumps, canals, and pipes), and relocate utility infrastructure (power poles) as needed to accommodate the levee improvements and canal relocations.

► **Landside Vegetation Removal**—In Reaches 16–20 of the Sacramento River east levee, in Reaches 1–4 of the American River north levee, and in NEMDC South, clear landside vegetation to prepare for Phase 4b Project levee and canal improvement work.

► **Waterside Vegetation Removal**—Waterside vegetation would be removed due to modifications to pumping plants along the Sacramento River east levee, NEMDC west levee, and PGCC southwest levee.

► **Bank Protection: Sacramento River Left Bank**—Because the adjacent levee would be constructed in Sacramento River east levee Reaches 1–20 under the NLIP, no erosion protection is needed along the left bank of the Sacramento River. The distance from the projected levee slope of the new adjacent levee to the current bank location is sufficient to guarantee that bank erosion would not intrude into the projected levee slope in the near future. Bank protection would be constructed along the PGCC and NEMDC South to address the waterside erosion sites noted above.

► **American River Common Features Project**—Upgrade levees at locations along the American River upstream of Northgate Boulevard, including raising and/or reshaping levee sections and installing cutoff walls.

► **Right-of-Way Acquisition**—Acquire lands within the Phase 4b Project footprint along the Sacramento River east levee, American River north levee, NEMDC west levee, and at associated borrow sites.
Encroachment Management—Remove encroachments as required to meet the criteria of USACE, CVFPB, and Federal Emergency Management Agency (FEMA). SAFCA would be required to submit a variance request to CVFPB, and then ultimately to USACE, requesting confirmation that SAFCA’s adjacent levee design for the Sacramento River east levee and American River north levee sufficiently addresses USACE’s guidance regarding vegetation on levees, if SAFCA chooses to implement the project without Federal participation.

The following additional project details are associated with the Phase 4b Project.

Cutoff Walls. Three-foot-wide cutoff walls made of either soil-bentonite (SB), cement bentonite (CB), or soil-cement-bentonite (SCB) would be installed either through the existing levee or along the landside toe of the existing levee. Depending on the construction method used, the top of the cutoff walls would be at least 10 feet above the existing ground surface at the landside toe of the levee (within either the new adjacent setback levee) or in the existing levee, and extend up to a depth of 110 feet below ground surface in some areas. Locations and depths would be determined during final engineering design. The total linear extent would be approximately 17,700 feet along the Sacramento River east levee Reaches 16–20; approximately 9,400 feet along the American River north levee, and 35,700 feet along the NEMDC north west levee. Cutoff wall construction would be conducted 24/7.

Seepage Berms. Sacramento River east levee seepage berm widths would extend up to 100 feet from the adjacent levee landside levee toe in Reaches 17–18, up to 250 feet from the adjacent levee landside levee toe in Reach 19A, and up to 300 feet from the adjacent levee landside toe in Reach 16. Depending upon the width, maximum thickness would be 6–7 feet. All berms would gradually slope downward to about 4 feet thick at the landside edge, with a 3H:1V slope to ground level. A gravel surface patrol road would be constructed near the outside edge of the seepage berm. Final locations of the seepage berms would be determined during final engineering design.

Relief Wells. Sacramento River east levee relief wells would be constructed at selected locations where berms cannot be wide enough or walls deep enough to meet the required seepage remediation design parameters. Relief wells would also be constructed along some of the entrance channels to the landside pump stations. Relief wells would be spaced between 60–100 feet apart and would extend to depths of between 60–80 feet below the ground surface.

Measures to Reduce Impacts to Residences, Businesses, and Heritage Oaks. Where residences, businesses, and heritage oak trees are located, measures would be employed to reduce the project footprint impacts to these resources, to the extent feasible given levee design and seepage remediation performance requirements. These measures could include reducing the width of the adjacent levee, seepage berms, and operations and maintenance access and utility corridors; and strategically using cutoff walls or seepage relief wells.

Power Pole Relocation. Power poles that currently exist on the landside slope of the levee and at the landside levee toe would need to be relocated and/or rerouted to accommodate the widened levee footprint. To the extent feasible, mainline utility infrastructure, such as power poles, would be relocated beyond the landside levee toe. Some poles may need to be relocated to the waterside of the existing levee. No power poles would be relocated within the new levee prism. Tree pruning would likely be required in some locations to accommodate the power pole relocation and associated wires. SAFCA would conduct the relocations in coordination with the appropriate utility companies and the construction operations.

Removal or Modification of Landside Structures and Other Facilities. Multiple residential and agricultural structures are located within the footprint of the levee improvements. These structures, and the facilities supporting them, would have to be modified, removed, or relocated out of the project footprint before the start of levee construction in those areas. Irrigation facility conveyance, distribution boxes, wells,
and standpipes within the footprint of the project features would be demolished and replaced as needed. Debris from structure demolition, power poles, utility lines, piping, and other materials requiring disposal would be hauled off-site to a suitable landfill. Demolished concrete could be sent to a concrete recycling facility. Wells and septic systems would be abandoned in accordance with the applicable state and county requirements. Drilling and development pumping of replacement wells would be conducted 24/7.

► **Garden Highway Closures.** Because of space constraints, in Sacramento River east levee Reaches 19B–20, the landside lane of Garden Highway would be closed for up to 6 months to allow for construction of a cutoff wall. In addition, because there would be no room for a two-way haul route at the toe of the existing levee, the waterside lane of Garden Highway would be used by haul trucks delivering materials. This lane would only be open to local traffic, with use of traffic controls. For levee improvements along the American River north levee, the Garden Highway/Arden-Garden Connector would be completely closed for up to 6 months between I-5 and Northgate Boulevard. Through traffic would be detoured to West El Camino Avenue, SR 160, and Richards Boulevard. Garden Highway would be closed at several locations, including City of Sacramento Pump 160 and RD 1000 Pumping Plant Nos. 1A and 1B, to allow for installation of pipes that need to be raised above the 0.005 AEP water surface profile.

► **Reconstruction of Intersections.** Garden Highway intersections at Natomas Park Drive, Truxel Road, Northgate Boulevard, and four additional ramps at private parcels would require degrading, rebuilding the embankment, and repaving to accommodate the installation of the American River north levee cutoff wall and levee slope flattening. Garden Highway intersections at Orchard Lane, Gateway Oaks Drive, and several additional ramps at private parcels would require degrading, rebuilding the embankment, and repaving to accommodate the installation of the Sacramento River east levee cutoff wall and levee slope flattening. The ramps would be reconstructed to the current general ramp and intersection geometry. The design would meet Sacramento County or City of Sacramento roadway design criteria, depending upon the jurisdiction. Where alternate access to the private properties is available, the private ramps would be removed and not replaced.

► **West Drainage Canal Realignment.** The proposed new alignment would abandon and reroute approximately 4,700 feet of the West Drainage Canal. The typical cross-section for the modified West Drainage Canal would require a right-of-way of up to 150 feet for approximately 1.2 miles. The realigned section of the canal would have a 30-foot bottom width, stable 3H:1V bank slopes on one or both sides, and a narrow, variable width bench on one side of the canal. A 20-foot-wide maintenance and inspection road would flank each side of the canal and would be slightly elevated above adjacent land to improve an all-weather road condition. Culverts would cross under the patrol road to allow continued drainage into the canal from adjacent fields. The realignment would include rerouting of a small section of the West Drainage Canal (starting at the M10 Drain south of I-5 which leads to RD 1000’s Pumping Plant No. 5) to a north-south orientation to improve the management of adjacent agricultural parcels, and to move the canal farther from the Airport Operations Area in the vicinity of the west runway.

► **Riego Road Canal Relocation.** A portion of an irrigation canal owned by the Natomas Central Mutual Water Company (NCMWC) would be relocated to make room for the proposed improvements to the west levee of NEMDC North. The affected portion includes approximately 4,000 feet of irrigation canal, approximately 250 feet of buried irrigation piping, and three irrigation control turn-out structures. These facilities would be relocated outside of the levee footprint as part of the Phase 4b Project. To prevent disruptions, the NCMWC irrigation system would be replaced with in-kind facilities compatible with the new levee footprint to prevent disruption of irrigation service. The new canal would be a highline canal with 3H:1V side slopes and a maintenance road on each of the embankments. A right-of-way of up to 100-feet beyond the new levee footprint would be required for the new facility.

► **Natomas Levee Recreational Trail Project.** As part of the Phase 4b Project, a regional Class I (completely separated from traffic) bicycle and pedestrian trail is proposed to be constructed in an approximately 42-mile loop along the Natomas Basin levee perimeter in the northwestern portion of the City and County of
Sacramento and the southern portion of Sutter County. The exact alignment of the recreational trail, in terms of its placement in relation to levees and roadways, would be determined through detailed engineering design. Construction, operation, and maintenance of a recreation trail on the perimeter levee system would require a CVFPB encroachment permit with an endorsement by RD 1000. The proposed recreational trail is intended to provide a bicycle commuter route at the southern and eastern end of the Natomas Basin that would connect to the regional American River trail system.

ALTERNATIVES TO THE PROPOSED PHASE 4b PROJECT

Because the EIS/EIR will be a joint NEPA/CEQA document, it will fully evaluate the environmental impacts of the Phase 4b Project and the following two alternatives at an equal level of detail:

No-Action Alternative (No-Project Alternative for purposes of CEQA)—Under NEPA, the expected future without-project conditions; under CEQA, the existing condition at the time this NOP was published (November 5, 2009), as well as what would be reasonably expected to occur in the foreseeable future if the Phase 4b Project were not approved. The No-Action Alternative consists of two scenarios:

► No Project Construction—The No-Action Alternative consists of the conditions that would likely prevail in the Natomas Basin if no action at all were taken by SAFCA, the State, or USACE to further improve the Basin’s perimeter levee system beyond the accomplishments of the Sacramento Urban Levee Reconstruction Project; the North Area Local Project; and the NLIP Phase 1, 2, 3, and 4a Projects. Under this scenario, key segments of this system would continue to provide less than 100-year flood risk reduction, and the entire Natomas Basin would be permanently designated as a special flood hazard area subject to development restrictions and mandatory flood insurance requirements pursuant to the regulations of the National Flood Insurance Program. SAFCA would not provide the Natomas Basin with at least a .01 AEP risk reduction by the end of 2010 and would not be able to facilitate achieving a 0.005 AEP risk reduction by the end of 2012.

► Potential Levee Failure—The same conditions with respect to development within the Natomas Basin as described above for the No Project Construction scenario would exist for the Potential Levee Failure scenario. Without additional improvements to the Natomas Basin perimeter levee system, wind and wave run-up or seepage conditions could cause portions of this system to fail, triggering widespread flooding and extensive damage to the Basin’s existing residential, commercial, agricultural, and industrial structures. Extensive damage to utilities, roadways, and other infrastructure systems would also likely occur. The magnitude of the flood damage would depend upon the location of the levee breach, severity of the storm, and river flows at the time of a potential levee failure.

Fix-in-Place Alternative—All elements of the Fix-in-Place Alternative would be the same as described for the Proposed Action, except for the method of raising and rehabilitating the Sacramento River east levee, the extent of levee degradation and road closures required to construct cutoff walls, and the extent of encroachment removal along the levee. Differences from the Proposed Action are shown in italicized text below.

► Sacramento River East Levee Reaches 16–20: Levee widening/rehabilitation and seepage remediation—Upgrade levee in place with cutoff walls, seepage berms, and relief wells, where required, to reduce seepage potential. Cutoff wall construction would be conducted 24/7.

► Landside Vegetation Removal—Same as the Proposed Action, except maximum extent of removal would likely be reduced.

► Waterside Vegetation Removal—In Reaches 16–20 of the Sacramento River east levee and Reaches 1–4 of the American River north levee, clear waterside vegetation to meet USACE vegetation guidance criteria. It is estimated that the numbers of acres of shaded riverine aquatic (SRA) habitat lost would be greater. Same as Proposed Action for modifications to RD 1000 pump stations.


- **Encroachment Management**—Same as the Proposed Action, except maximum extent of removal would likely be increased. SAFCA would not be eligible to request a variance and would need to fully comply with USACE’s levee vegetation requirements.

Alternatives that have already been addressed in previous environmental documents for the NLIP will be briefly summarized in the EIS/EIR for the Phase 4b Project and incorporated by reference. These alternatives include the following:

- Yolo Bypass Improvements;
- Reduced Natomas Urban Levee Perimeter;
- Construction of a New Setback Levee;
- Raise Levee in Place with a 1,000-Foot Levee Setback in the Upper 1.4 Miles along the Sacramento River East Levee;
- Construct an Adjacent Setback Levee with a 500-Foot Levee Setback in the Upper 1.4 Miles along the Sacramento River East Levee;
- No SAFCA Levee Improvements—Private Levees in Natomas;
- Natomas .01 AEP Flood Risk Reduction;
- No-Action Alternative—Airport Compartment Levee; and
- Cultural Resources Impact Reduction Alternative.

**PROBABLE ENVIRONMENTAL IMPACTS OF THE PROPOSED PHASE 4b PROJECT**

The EIS/EIR will describe the direct and indirect significant environmental impacts of the Phase 4b Project. The EIS/EIR will also evaluate the cumulative impacts of the project when considered in conjunction with the other phases of the Landside Improvements Project and other related past, present, and reasonably foreseeable future projects, including other USACE (408 permission) and SAFCA projects.

On the basis of programmatic environmental analyses of the Phase 4b Project in previous NEPA and CEQA documents and relevant environmental analyses of previous project phases, USACE and SAFCA have determined that the probable environmental effects of the Phase 4b Project are as follows:

- **Agricultural Resources**: Conversion of Important Farmland to nonagricultural use; temporary and permanent effects on agricultural productivity; and conflicts with lands under Williamson Act contracts.

- **Land Use, Socioeconomics, and Population and Housing**: Inconsistency with adopted land use plans and the Natomas Basin Habitat Conservation Plan; temporary disturbance and division of an existing community and temporary disruption of commercial activities during construction; potential displacement of existing housing, especially affordable housing; potential reduction in local or regional employment; and other potential socioeconomic impacts, the analysis of which is required by NEPA.

- **Geology, Soils, and Mineral Resources**: Potential soil erosion or loss of topsoil during construction; and potential loss of mineral resources.

- **Hydrology and Hydraulics**: Minimized flood risk; potential temporary and/or permanent alteration of local drainage patterns; potential effects on groundwater recharge.
► **Water Quality:** Temporary effects on water quality during construction.

► **Biological Resources:** Temporary disturbance or permanent loss of woodland habitats and wildlife corridors; temporary disturbance or permanent loss of jurisdictional waters of the United States; temporary disturbance or permanent loss of special-status plant species; temporary disturbance or permanent loss of special-status species habitats; construction disturbance or take of special-status terrestrial species, especially Swainson’s hawk and giant garter snake; loss of fish or aquatic habitat through increased sedimentation and turbidity or release of contaminants during construction; and loss of SRA habitat.

► **Cultural Resources:** Temporary and/or permanent disturbance of known and unknown historic or archaeological resources.

► **Paleontological Resources:** Potential disturbance of unknown unique paleontological resources during earthmoving activities.

► **Transportation and Circulation:** Temporary increase in traffic and traffic hazards on local roadways during construction, including hauling; temporary closure of roadways, including full and partial closure of sections of Garden Highway and connecting ramps throughout the 6-month construction season; and temporary disruption of emergency service response times and access.

► **Air Quality:** Temporary and short-term increases in pollutant emissions associated with construction activities, including the potential overlap in construction of portions of the Phase 2, 3, and 4a Projects with the Phase 4b Project; and long-term increases in pollutant emissions.

► **Noise:** Temporary and short-term increases in noise and vibration levels near sensitive receptors during construction, including the need for 24/7 construction for cutoff walls and 24/7 construction associated with relocating wells away from the levee.

► **Recreation:** Addition of a new recreation trail on the improved Natomas Basin levee perimeter system; and potential construction-related closures of/impacts to recreational facilities in the project area.

► **Visual Resources:** Temporary and long-term changes in scenic views or visual character of the project area from the construction of project features and tree/vegetation removal and replanting.

► **Utilities and Service Systems:** Temporary disruption of irrigation supply; potential disruption of utility service from construction activities and from the relocation of power poles.

► **Hazards and Hazardous Materials:** Potential spills of hazardous materials during construction; potential exposure to hazardous materials at project sites during construction; potential for higher frequency of collisions between aircraft and wildlife at the Airport during construction and as a result of permanent changes in land cover; and increased exposure to wildland fire risk during construction.

► **Environmental Justice:** Potential for disproportionately high and adverse effects on minority or low income populations, including Tribal populations, the analysis of which is required by NEPA.

► **Cumulative and Growth-Inducing Impacts:** Potential cumulatively considerable incremental contributions from Phase 4b Project impacts in the areas of agricultural resources, water quality, fisheries, biological resources, cultural resources, air quality (including temporary and short-term generation of greenhouse gas emissions [CO₂] from project construction), noise, and visual resources; potential growth-inducing impacts from construction of the NLIP, including substantial new permanent employment opportunities, substantial short-term employment opportunities, and removal of an obstacle to additional growth and development in the Natomas Basin.
PUBLIC SCOPING MEETING

A joint EIS/EIR public scoping meeting, conducted by USACE and SAFCA, will be held during the 30-day NOP public review period to inform interested parties about the proposed project, and to provide agencies and the public with an opportunity to provide comments on the scope and content of the EIS/EIR. The joint scoping meeting will satisfy the meeting requirement for projects of statewide, regional, or areawide significance (see State CEQA Guidelines CCR Section 15082 [c]).

The meeting will be held on November 18, 2009, from 4:30 to 6:30 p.m., at 2921 Truxel Road (South Natomas Community Center) in Sacramento, California and will have an open-house format with multiple stations set up to highlight different aspects of the proposed project and the NEPA/CEQA process. Attendees will have the opportunity to ask questions and discuss the project and the EIS/EIR process with project team members and to provide oral and written comments. The meeting space is accessible to persons with disabilities and a court reporter will be available. Individuals needing special assistive devices will be accommodated to the best of SAFCA’s ability. For more information, please contact John Bassett, SAFCA Director of Engineering, at least 48 hours before the meeting (contact information is provided below).

PROVIDING COMMENTS ON THE NOTICE OF PREPARATION

Interested parties may provide written or oral comments on the proposed content and scope of the EIS/EIR at the public scoping meeting or may provide written comments directly to SAFCA. **Written comments on the NOP must be provided to SAFCA at the earliest possible date, but must be received no later than 5 p.m. on Friday, December 4, 2009.** Agencies that will need to use the EIS/EIR when considering permits or other approvals for the proposed project should provide the name of a contact person. Comments provided by e-mail should include the name and address of the sender and include “Natomas PACR/NLIP Phase 4b Project NOP Scoping Comment” in the subject line. Please send all written and/or e-mail comments on the NOP to:

John Bassett, P.E., Director of Engineering
Sacramento Area Flood Control Agency
1007 7th Street, 7th Floor
Sacramento, CA 95814
Telephone: (916) 874-7606
Fax: (916) 874-8289
E-mail: bassettj@saccounty.net
Regional Location

Exhibit 1
Phase 4b Project Construction Areas (Southern Portion)  
Exhibit 2

Source: Based on information from CaSil, Sacramento Area Council of Governments in 2006, Mead & Hunt in 2009; adapted by AECOM 2009
Phase 4b Project Construction Areas (Northern Portion)  

Exhibit 3
Comments Received
December 2, 2009

John Bassett, P.E., Director of Engineering
Sacramento Area Flood Control Agency
1007 Seventh Street, 7th Floor
Sacramento, CA  95814

Subject: Scoping Comments on Environmental Impact Statement/Environmental Impact Report for Natomas Levee Improvement Program, Phase 4 (b), Landside Improvements Project

Dear Mr. Bassett:

The Federal Aviation Administration (FAA) is providing scoping comments on the environmental issues to be addressed in the joint Environmental Impact Statement/Environmental Impact Report (EIS/EIR) for the Natomas Levee Improvement Program (NLIP), Phase 4 (b), as requested in the Sacramento Area Flood Control Agency (SAFCA) Notice of Preparation dated November 5, 2009.

The FAA, through the Airport Improvement Program, has provided federal funds for various aviation development activities at the Sacramento International Airport. The proposed flood protection improvements would increase protection of these developments for which federal funds have been expended.

Sacramento International Airport is a certificated airport under 14 Code of Federal Regulations (CFR) Part 139 of the FAA’s regulations. As a result of prior FAA 14 CFR 139 inspections at Sacramento International Airport, the airport is required to maintain and implement a Wildlife Hazard Management Plan. The Wildlife Hazard Management Plan represents an ongoing effort by the Sacramento County Airport System to reduce wildlife-aircraft strike hazards and habitat attracting wildlife hazardous to aircraft operations at Sacramento International Airport.

The proposed NLIP, Phase 4 (b), project, if inappropriately designed, could replace existing vegetation and wildlife habitat with vegetation, wetlands or open water habitats that could attract wildlife hazardous to aviation and increase wildlife-aircraft collision strikes at Sacramento International Airport. FAA Advisory Circular (AC) 150/5200-33B, Hazardous Wildlife Attractants on or Near Airports, recommends a separation distance of 10,000 feet between airports serving turbine-powered (jet) aircraft and habitats that can attract wildlife hazardous to aircraft, and recommends a separation distance of 5 miles between hazardous wildlife attractants and the edge of an airport’s Area of Operations if the attractant could cause hazardous wildlife movement into or across the approach or departure airspace.
The EIS/EIR should analyze whether the proposed flood control improvements and mitigation measures associated with those improvements are consistent with the guidelines in FAA AC 150/5200-33B, whether the proposed project would increase the amount of habitat available for wildlife hazardous to aircraft, whether the project is likely to increase the potential of hazardous wildlife to move into or across approach or departure airspace of Sacramento International Airport, and whether the proposed project would be likely to increase the risk of wildlife-aircraft collisions at Sacramento International Airport. The FAA recommends that the EIS/EIR interdisciplinary team conducting this analysis include a wildlife biologist meeting the requirements of FAA AC 150/5200-36 *Qualifications for Wildlife Biologists Conducting Wildlife Hazard Assessments*, dated June 28, 2006.

The FAA is particularly concerned that if the existing elevation of the I-5 Borrow Area or Fisherman’s Lake Borrow Areas is reduced by the removal of soil that these areas could become stormwater retention basins, wetlands or open waters that would attract hazardous wildlife such as ducks, geese, or other waterbirds, that have a high potential for wildlife-aircraft collisions. We recommend that SAFCA and the Army Corps of Engineers consult the Department of Transportation FAA/Department of Defense AC 150/5320-5C, *Surface Drainage Design*, regarding the appropriate sizing of drainage facilities on or near airports. Typical airport drainage facilities are generally those that drain completely within 24 to 48 hours after a 5 or 10-year storm event.

The EIS/EIR should describe the proposed future vegetation/habitats of the I-5 and Fisherman’s Lake Borrow Areas under each alternative and analyze whether the vegetation is likely attract hazardous wildlife and/or result in an increase in wildlife-aircraft collisions at Sacramento International Airport. In additional to wetland vegetation and open water areas, agricultural crops such as rice, grain crops, irrigated alfalfa, or sunflowers could also make the Borrow Areas more attractive to hazardous wildlife. Unirrigated, annual grassland habitat would typically be less attractive to hazardous wildlife in this area.

The FAA recommends that the EIS/EIR select an alternative that including managing vegetation on NLIP areas within 10,000 feet of Sacramento International Airport so as to minimize its attractiveness to hazardous wildlife and minimize the potential for wildlife-aircraft collisions. We also recommend that SAFCA and Army Corps of Engineers contact the Sacramento County Airport System regarding the County’s efforts to minimize the attractiveness of Sacramento International Airport to wildlife potentially hazardous to aircraft.

Vegetation changes that reduce the attractiveness of the Borrow Areas for hazardous wildlife should be considered beneficial effects of the proposed project in terms of reducing the potential for wildlife-aircraft strike hazards. Also please note that the 2003 Memorandum of Agreement Between the Federal Aviation Administration, the U.S. Air Force, the U.S. Army, the U.S. Environmental Protection Agency, the U.S. Fish and Wildlife Service, and the U.S. Department of Agriculture to Address Aircraft-Wildlife Strikes addresses how these agencies, including the Army Corps of Engineers through the U.S. Army, are to consider and generally minimize wildlife-aircraft strike hazard issues while implementing their respective missions.
While the current proposal does not appear to propose use of airport property, please be advised that much of Sacramento International Airport is located on property acquired using a combination of Sacramento County and federal funds and the airport has received federal funding from various FAA Airport Improvement Program federal grants. If future actions to implement the proposed project require use of Sacramento International Airport property, one or more FAA approvals may also be required.

Please provide a paper copy and compact disk of the Draft EIS/EIR for this project when it is released for public review. Please contact FAA Environmental Protection Specialist Doug Pomeroy, telephone, 650-876-2778, extension 612, or e-mail Douglas.Pomeroy@faa.gov, if you have questions regarding this letter. The FAA documents mentioned in this letter are available on the FAA’s public internet web site at www.faa.gov.

Sincerely,

Original signed by

Douglas R. Pomeroy
Environmental Protection Specialist

cc: G. Hardy Acree, Director of Airports, Sacramento County Airport System District Engineer, Army Corps of Engineers, Sacramento District
November 5, 2009

To: Reviewing Agencies

Re: Natomas Post-Authorization Change Report/Natomas Levee Improvement Program, Phase 4b Project
SCH# 2009112025

Attached for your review and comment is the Notice of Preparation (NOP) for the Natomas Post-Authorization Change Report/Natomas Levee Improvement Program, Phase 4b Project draft Environmental Impact Report (EIR).

Responsible agencies must transmit their comments on the scope and content of the NOP, focusing on specific information related to their own statutory responsibility, within 30 days of receipt of the NOP from the Lead Agency. This is a courtesy notice provided by the State Clearinghouse with a reminder for you to comment in a timely manner. We encourage other agencies to also respond to this notice and express their concerns early in the environmental review process.

Please direct your comments to:

John Bassett
Sacramento Area Flood Control Agency
1007 7th Street, 7th Floor
Sacramento, CA 95814

with a copy to the State Clearinghouse in the Office of Planning and Research. Please refer to the SCH number noted above in all correspondence concerning this project.

If you have any questions about the environmental document review process, please call the State Clearinghouse at (916) 445-0613.

Sincerely,

Scott Morgan
Acting Director

Attachments
cc: Lead Agency
SCH# 2009112025
Project Title Natomas Post-Authorization Change Report/Natomas Levee Improvement Program, Phase 4b Project
Lead Agency Sacramento Area Flood Control Agency

Type NOP Notice of Preparation
Description The overall purpose of the Natomas Levee Improvement Program (NLIP) is to bring the entire 42-mile Natomas Basin perimeter levee system into compliance with applicable Federal and state standards for levees protecting urban areas. The Phase 4b Project - a component of the NLIP - consists of improvements to a portion of the Natomas Basin’s perimeter levee system and associated landscape, irrigation/drainage infrastructure modifications, and environmental mitigation, including habitat creation and management.

Lead Agency Contact
Name John Bassett
Agency Sacramento Area Flood Control Agency
Phone (916) 874-7606
Email
Address 1007 7th Street, 7th Floor
City Sacramento
State CA Zip 95814

Project Location
County Sacramento, Sutter
City Sacramento
Region
Cross Streets Various
Lat/Long 38° 41' N / 121° 36' W
Parcel No.
Township
Range
Section
Base

Proximity to:
Highways Hwy 5, 99, 80
Airports Sacramento Intl
Railways
Waterways Sacramento & American Rivers, NCC, NEMDC, PGCC
Schools
Land Use Various, including flood damage reduction facilities, agriculture, residential, and public right-of-way

Project Issues Aesthetic/Visual; Agricultural Land; Air Quality; Archaeologic-Historic; Biological Resources; Drainage/Absorption; Economics/Jobs; Flood Plain/Flooding; Forest Land/Fire Hazard; Geologic/Seismic; Minerals; Noise; Population/Housing Balance; Public Services; Recreation/Parks; Soil Erosion/Compaction/Grading; Solid Waste; Toxic/Hazardous; Traffic/Circulation; Vegetation; Water Quality; Water Supply; Wetland/Riparian; Growth Inducing; Landuse; Cumulative Effects; Other Issues

Reviewing Agencies Resources Agency; Office of Historic Preservation; Department of Parks and Recreation; Central Valley Flood Protection Board; Department of Water Resources; Department of Fish and Game, Region 2; Native American Heritage Commission; State Lands Commission; California Highway Patrol; Caltrans, District 3; Department of Toxic Substances Control; Regional Water Quality Control Bd., Region 5 (Sacramento)

Date Received 11/05/2009 Start of Review 11/05/2009 End of Review 12/07/2009

Note: Blanks in data fields result from insufficient information provided by lead agency.
**NOP Distribution List**

**Resources Agency**
- Resources Agency
  - Nadej Gayou
- Dept. of Boating & Waterways
  - Mike Sotelo
- California Coastal Commission
  - Elizabeth A. Fuchs
- Colorado River Board
  - Gerald R. Zimmerman
- Dept. of Conservation
  - Rebecca Salazar
- California Energy Commission
  - Eric Knight
- Cal Fire
  - Allen Robertson
- Office of Historic Preservation
  - Wayne Donaldson
- Dept. of Parks & Recreation
  - Environmental Stewardship Section
- Central Valley Flood Protection Board
  - James Herota
  - Steve McAdam
- Dept. of Water Resources
  - Resources Agency
    - Nadej Gayou
  - Conservancy

**Fish and Game**
- Dept. of Fish & Game
  - Scott Flint
  - Environmental Services Division
- Fish & Game Region 1
  - Donald Koch
- Fish & Game Region 1E
  - Laurie Hainesberger

**County: SACRAMENTO/SUTTER**

**Fish & Game Region 2**
- Jeff Druesens
**Fish & Game Region 3**
- Robert Floerke
**Fish & Game Region 4**
- Julie Varice
**Fish & Game Region 5**
- Don Chadwick
  - Habitat Conservation Program
**Fish & Game Region 6**
- Gebrina Gaetchel
  - Habitat Conservation Program
**Fish & Game Region 6**
- Brad Henderson
  - Inyo/Mono, Habitat Conservation Program
**Dept. of Fish & Game M**
- George Isaac
  - Marine Region

**Business, Trans & Housing**
- Caltrans - Division of Aeronautics
  - Sandy Hessner
- Caltrans - Planning
  - Terri Pencovic
- California Highway Patrol
  - Scott Loelacher
  - Office of Special Projects
- Housing & Community Development
  - CEQA Coordinator
  - Housing Policy Division

**Dept. of Transportation**
- Caltrans, District 1
  - Rex Jackman
- Caltrans, District 2
  - Marcelino Gonzalez
- Caltrans, District 3
  - Bruce de Terra
- Caltrans, District 4
  - Lisa Carbal
- Caltrans, District 5
  - David Murray
- Caltrans, District 6
  - Michael Navarro
- Caltrans, District 7
  - Einer Alvarez
- Caltrans, District 8
  - Dan Kopulsky
- Caltrans, District 9
  - Gayle Rosender
- Caltrans, District 10
  - Tom Dumas
- Caltrans, District 11
  - Jacob Armstrong
- Caltrans, District 12
  - Chris Herre

**Cal EPA**
- Air Resources Board
  - Jim Lerner
- Transportation Projects
  - Douglas Llo
- Industrial Projects
  - Mike Toilstrup
- California Integrated Waste Management Board
  - Sue O'Leary
- State Water Resources Control Board
  - Regional Programs Unit
    - Division of Financial Assistance
- State Water Resources Control Board
  - Student Intern, 401 Water Quality Certification Unit
    - Division of Water Quality
- State Water Resources Control Board
  - Steven Herrera
    - Division of Water Rights
- Dept. of Toxic Substances Control
  - CEQA Tracking Center
- Department of Pesticide Regulation
  - CEQA Coordinator

**SCH# 2009112025**
- Regional Water Quality Control Board (RWQCB)
  - RWQCB 1
    - Cathleen Hudson
    - North Coast Region (1)
  - RWQCB 2
    - Environmental Document Coordinator
    - San Francisco Bay Region (2)
  - RWQCB 3
    - Central Coast Region (3)
  - RWQCB 4
    - Teresa Rodgers
    - Los Angeles Region (4)
  - RWQCB 5S
    - Central Valley Region (5)
  - RWQCB 5F
    - Central Valley Region (5)
    - Fresno Branch Office
  - RWQCB 5R
    - Central Valley Region (5)
    - Redding Branch Office
  - RWQCB 6
    - Lahontan Region (6)
  - RWQCB 6V
    - Lahontan Region (6)
    - Victorville Branch Office
  - RWQCB 7
    - Colorado River Basin Region (7)
  - RWQCB 8
    - Santa Ana Region (8)
  - RWQCB 9
    - San Diego Region (9)

**Other**

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Last Updated on 10/21/2009
Dear Mr. Bassett:

We have received the Notice of Preparation (NOP) regarding the proposed Natomas Post-Authorization Change Report/Natomas Levee Improvement Program, SCH #2009112025. Obviously, a project of this size and scope will have a significant impact on numerous roadways within Sacramento County. Of particular concern is the adverse effect this project will have on traffic utilizing Garden Highway and adjacent roadways. According to the NOP, traffic will be detoured onto West El Camino Avenue, Richards Boulevard, and State Route 160. Additionally, Interstate 80 may be impacted by the Garden Highway closures. These areas already experience high traffic volume which will be exacerbated by the detours.

While we realize the importance of sound levees, we also acknowledge the necessity to consider the influence of this major construction project on the motorists of the Sacramento area. Should you have any further questions regarding these issues, please contact myself or Lieutenant Deborah Pierce at (916) 338-6710.

Sincerely,

C. M. McGAGIN, Captain
Commander
North Sacramento Area
Thanks, John. I got copied on this directly from Doug Pomeroy at FAA. We decided that it was necessary for SCAS to submit scoping comments. We had our new planner, Julie Car, look at our previous comments on the Phase 4a project in comparison to the Phase 4B project. Based on her review, we determined that SCAS had nothing new to add to what we’ve conveyed previously. – Greg Rowe

Julie: John Bassett is SAFCA’s director of engineering, and Holly Gilchrist is the General Counsel (formerly with County Counsel). We have an excellent working relationship with SAFCA. –GR

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November 25, 2009

John Bassett
Director of Engineering
Sacramento Area Flood Control Agency
1007 Seventh Street, 7th Floor
Sacramento, CA 95814

SUBJECT: COMMENTS ON THE NOTICE OF PREPARATION (NOP) OF A DRAFT ENVIRONMENTAL IMPACT STATEMENT (EIS)/ENVIRONMENTAL IMPACT REPORT (EIR) ON THE POST-AUTHORIZATION CHANGE REPORT/NATOMAS LEVEE IMPROVEMENT PROGRAM PHASE 4B LANDSIDE IMPROVEMENTS PROJECT.

Dear Mr. Bassett:

The Sacramento County Department of Transportation (SACDOT) has reviewed the NOP for the above referenced project, dated November 5, 2009. We appreciate the opportunity to review this document and have the following comments to offer:

- The project proposes truck haul routes to access borrow and levee improvement sites via the County’s rural roadways. As shown in Exhibit 2 – Phase 4b Construction Areas (Southern Portion), the potential on-road haul routes are Del Paso Road, Power Line Road, El Centro Road and San Juan Road. The project would add significant amounts of truck traffic to these rural roads and would result in an impact to the existing pavement structure. Typically, rural area pavement sections were designed to carry low traffic volumes. The project construction truck traffic would shorten the life of the pavement section and possibly result in damage to these roadways. We would ask that the project proponent enter into a maintenance agreement with the Maintenance and Operations Section of SACDOT. This agreement shall cover the maintenance and repair of any roadway damaged by the project’s construction activities.

- The proposed roadway closure and detour plans shall be coordinated with SACDOT staff.

- The project would result in a change of geometrics at the side street intersections with the Garden Highway. These roadways include Power Line Road and San Juan Road. The project proponent shall coordinate the proposed improvement plans with SACDOT staff.

“Leading the Way to Greater Mobility”
• Power pole relocation shall be coordinated with SMUD and SACDOT to avoid conflicts with the intended bike/pedestrian path.

We would like to extend our sincere thanks to SAFCA staff for working with SACDOT staff for the inclusion of the Natomas Levee Bicycle & Pedestrian Trail project in the NLIP Phase 4b DEIR analysis. After completion of the analysis, this project can successfully compete for the grant opportunities in the near future. We will continue to coordinate with City of Sacramento, Sutter County, SAFCA, RD1000, County Airports, US Army Corps of Engineers and Central Valley Flood Control Protection Board as this project moves forward through the planning, engineering and construction process. Should you have any questions, please feel free to contact me at (916) 874-6121 or Kamal Atwal at (916) 875-2844

Sincerely,

[Signature]

Dean Blank, P.E.
Principal Civil Engineer
Department of Transportation

DB:ka

c:    Dan Shoeman, DOT
      Matt Darrow, DOT
      Kamal Atwal, DOT
      Ron Vicari, DOT
      Rizaldy Mananquil, DOT
      Marry Anne Dann, MSA
      Tricia Stevens, Planning and Community Development Department
      Ed Cox, City of Sacramento, ecox@cityofsacramento.org
      Jay Punia, CVFPB, jpunia@water.ca.gov]
      Neal Hay, Sutter County, NHay@co.sutter.ca.us
      Paul Devereux, RD1000 pdevereux@rd1000.org
From: Bassett, John (MSA) [bassettj@SacCounty.NET]  
Sent: Wednesday, November 18, 2009 4:07 PM  
To: Dunn, Francine; Henningsen, Sarah; Rader, David; Holland, Elizabeth G SPK; Dadey, Kathleen A SPK  
Cc: Washburn, Timothy (MSA); Gilchrist, M. Holly (MSA); Ellen J. Garber  
Subject: FW: NOP for EIS/EIR on Natomas Post Authorization Change Report/NLIP, Phase 4b Landside Improvements Project

From: KAREN HUSS [mailto:KHuss@airquality.org]  
Sent: Wednesday, November 18, 2009 2:21 PM  
To: Bassett, John (MSA); Holland, Elizabeth G SPK  
Cc: LARRY ROBINSON  
Subject: NOP for EIS/EIR on Natomas Post Authorization Change Report/NLIP, Phase 4b Landside Improvements Project

Hi John and Elizabeth,  
We received the Notice of Preparation for NLIP Phase 4b. We do not plan to provide a NOP letter. Look forward to getting the EIS/EIR.  
Thanks,

Karen Huss  
Sacramento Metropolitan AQMD  
Land Use & Transportation Section  
777 12th Street, 3rd Floor  
Sacramento, CA 95814  
916-874-4881  
k Huss@airquality.org  
www.airquality.org

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November 23, 2009

John Bassett, P.E., Director of Engineering  
Sacramento Area Flood Control Agency  
1007 7th Street, 7th Floor  
Sacramento, CA 95814

Re: Response to the Notice of Preparation of an EIS/EIR on the Natomas Post-authorization Change Report/Natomas Levee Improvement Program, Phase 4b Landside Improvements Project

Dear Mr. Bassett,

Thank you for the opportunity to comment on the Notice of Preparation for the EIS/EIR on the Natomas Post-authorization Change Report/Natomas Levee Improvement Program, Phase 4b Landside Improvements Project. The County of Sutter has several areas of concern we wish to have analyzed as part of the proposed EIS/EIR.

- The proposed borrow site excavation and reclamation area located east of the Cross-Canal and east Natomas Basin levee has soils that are predominantly classified as Prime Farmland and Farmland of Statewide Importance by the Department of Conservation. The County requests the proposed project’s impacts to this farmland be analyzed as part of the proposed environmental document. The County requests the reclamation of this site be to a use consistent with the County’s Agriculture, 80-acre minimum General Plan designation (AG-80) and General Agricultural Zoning District (AG).

- The removal of soil from the proposed borrow site is subject to the State’s Surface Mining and Reclamation Act (SMARA). As the lead agency under SMARA, a surface mining permit and reclamation plan is required to be approved by Sutter County. It is recommended the SMARA activity be analyzed as part of the proposed environmental document and all feasible and effective mitigation be incorporated into the project. Sutter County considers itself to be a responsible agency under CEQA for this portion of the proposed project and this letter constitutes our written reply as required by CEQA Guidelines Section 15069(b) (2).
Sutter County requests the proposed environmental document discuss and analyze potential impacts the proposed project could have on the Sankey Gap.

It appears by the Exhibit 3 map, included as part of the Notice of Preparation, the proposed borrow pit area will include land currently occupied by the Pleasant Grove Cemetery District cemetery. The District should be consulted about this proposed project and the County requests the proposed project's impacts on this cemetery be discussed and analyzed in the proposed environmental document and all feasible and effective mitigation be incorporated into the project.

The proposed borrow site excavation and reclamation area location is within an "Out of Basin Mitigation Area" identified in the Natomas Basin Habitat Conservation Plan (NBHCP) otherwise known as "Area B." The County requests the proposed project's impacts be evaluated as to the end use's viability as potential mitigation land for the NBHCP be analyzed.

The issues discussed above are of paramount concern to the County of Sutter. As a responsible agency under CEQA for the borrow site excavation and reclamation area portion of the proposed project, we look forward to working with you to assure that all surface mining and reclamation impacts are properly analyzed and mitigated. Please provide our office with all future notices regarding this project.

Sincerely,

Douglas G. Libby, AICP
Principal Planner

DGL:gsg
Dear Mr. Bassett, Director of Engineering,

In reviewing the Notice of Preparation document for the NLIP Phase 4b Landside Improvements, Sutter County requests an addendum to the Roadway Repairs Agreement dated August 21, 2008. The scope of Phase 4b identifies an additional borrow area (Triangle Properties Borrow Area) which will be analyzed as part of the project. Should the borrow site be utilized, Exhibit 3 identifies two additional county roads, Fifield Rd and Keys Rd as potential on-road haul routes. Fifield Rd is a paved roadway and Keys Rd is a gravel roadway over the portions identified in the exhibit. To date, the current Road Agreement has satisfied the concerns of both parties and the levee improvement projects have continued. Should the new borrow area be utilized in the Phase 4b project, per paragraph M (page 2 of 12) of the existing agreement, an addendum is needed to continue the cooperation and address these newly identified road segments.

Additionally, please be advised that beginning in May 2010, our department will begin a bridge rehabilitation project on Pleasant Grove Road south of Keys Road. The work will cause us to close Pleasant Grove Road to through traffic for up to 4 months and Sankey Road, Natomas Road and Howsley Road will be published as the Detour route. We expect Keys Rd and Fifield Rd to be used by local traffic as an alternate detour route. Consequently, your contractor for borrow operations could not use wider than legal equipment on these county roads.

Thank you for you continued cooperation and please contact me with any questions.

Neal P Hay PE
Senior Civil Engineer
Sutter County
530-822-4402 Direct
December 1, 2009

Mr. John Bassett, P.E., Director of Engineering
Sacramento Area Flood Control Agency
1007 7th Street, 7th Floor
Sacramento, CA 95814

Subject: Natomas PACR/NLIP Phase 4b Project NOP Scoping Comments

Dear Mr. Bassett:

Thank you for the opportunity to comment on the above mentioned project. The City Department of Transportation (DOT) is providing separate comments dealing with bike / pedestrian trails, so I will not repeat comments provided by DOT on trails, except where they interface with public parks that may be impacted by the project. Because this will be a program level EIR/EIS, the comments are general in nature.

Sacramento River East Levee Reaches 16 – 20
Within this area of the project, the City of Sacramento has several public parks on the land side of the levee:

- Park Site SN2 (Undeveloped; APN 274-0220-047-0000) is located north of Garden Highway and east of I-80. This undeveloped park site is currently accessible only from Garden Highway.

- Shorebird Park (Developed; APN 274-0560-024-0000 and -025) is bounded by Garden Highway (south), Swainson Way (west) and Kittiwake Drive (north).
- **Natomas Oaks Park** (Developed; APN 274-0320-023-0000, 274-0320-033-0000 and 274-0050-033-0000) is located at the intersection of Gateway Oaks / Garden Highway. The park includes a large grove of native oaks and other large trees in the eastern 2/3 of the park. The western 1/3 of the park contains turf, a restroom and parking area.

The City also has the following parks situated between Garden Highway and the Sacramento River in this area:

- **Sand Cove Park** (Developed; APN 274-0020-064-0000, 274-0220-066-0000 and 274-0220-022-0000). This park remains in its natural state with the additions of a paved parking area and trail.

- **McClellan Docks** (Developed; APN 274-0030-020-0000) This site was quitclaimed to the City from the federal government. It is currently leased to the Drowning Accident Rescue Team.

The EIR/EIS should include a discussion of any anticipated impacts to the public parks along the Sacramento River. The project description implies a potential loss of parkland or potential loss of existing recreational amenities, if the affected parks are developed. In the event parkland or recreational amenities will be impacted, the document should include discussion on how the impacts will be mitigated.

The Park Site SN2 and Natomas Oaks Park have large stands of heritage oaks and other heritage trees that will likely be impacted by the levee project and (in the case of the Natomas Oaks Park) intersection reconstruction project at Gateway Oaks / Garden Highway. The EIR/EIS should include a discussion of how heritage and other tree removal impacts will be mitigated where avoidance is not possible.

**Pleasant Grove Creek Canal and NEMDC South** – Gardenland Park

This section of the project includes the City’s Ueda Parkway, which extends on both sides of the NEMDC from the American River Parkway to the northern boundary of the City of Sacramento. A portion of the Parkway was developed in 2007 with a paved, levee-top bicycle / pedestrian trail, extending between the West El Camino bridge to Sotnip Road on the west side of the canal. As part of this phase of construction, ADA-compliant ramps were constructed on the water side of the levee at Silver Eagle and on the land side of the levee at Gardenland Park and West El Camino.

Raising the levee will impact the ADA-compliant approaches to the parkway trail. In particular, the access ramp at Gardenland Park, located at 310 Bowman Avenue, winds through the entire park. Raising the levee grade will impact this very long access ramp, and potentially the entire park. This impact will need to be included in the discussion (along with any other access points).
In addition, raising the levee will widen the 'footprint' of the levee, potentially impacting the size of the park that is usable for recreation purposes and the existing improvements in Gardenland Park. Please address this issue in the document.

Lastly in March 2009, a new master plan for Gardenland Park was approved by the Sacramento City Council. The EIR/EIS should also address impacts to the park's planned improvements. A copy of the master plan for Gardenland Park is included in this packet.

**Borrow Site Excavation and Reclamation**

Any impacts to the City's Fisherman's Lake Park or Open Space would need to be included in the discussion. The boundaries of both are located to the east of the proposed borrow sites, adjoining the City's western boundary.

As this project moves into its design and construction modes, we look forward to active coordination between the City, SAFCA USACE and other agencies, where City parks or recreational amenities are affected. We will do all within our power to keep this important project on schedule.

Please notify me when the draft EIR/EIS is available for review.

Respectfully submitted,

Mary de Beauvieres
Principal Planner

Cc:  Aelita Milatzo, DOT  
     Ed Cox, DOT  
     Scott Johnson, CDD  
     J.P. Tindell, PPDS
December 4, 2009

John Bassett  
Director of Engineering  
Sacramento Area Flood Control Agency  
1007 7th Street, 7th Floor  
Sacramento, CA 95814  
bassettj@saccounty.net

Dear Mr. Bassett:

Thank you for the opportunity to review and comment on the Natomas Post-Authorization Change Report/Natomas Levee Improvement Program, Phase 4b Landslide Improvements Project NOP, dated November 5, 2009. Our comments are as follows:

Construction will include disruptions to the transportation network near the project site and adjacent area, including the possibility of temporary lane closures, street closures, sidewalk closures, bikeway closures, and detours. Pedestrian, bicycle, and transit access may be disrupted. Heavy vehicles will access the site and may need to be staged for construction. These activities could result in degraded roadway operating conditions in the area.

Prior to beginning of construction, a “Construction Traffic Control Plan” for City of Sacramento streets shall be prepared by the applicant to the satisfaction of the City Traffic Engineer and subject to review by all affected agencies. The plan shall ensure that acceptable operating conditions on local roadways are maintained. A copy of the Construction Traffic Control Plan shall be submitted to local emergency response agencies and these agencies shall be notified at least 14 days before the commencement of construction that would partially or fully obstruct roadways. Specific requirements regarding the development of a Construction Traffic Control Plan can be provided upon request.

The project description indicates that various intersections and roadways will be reconstructed and designed in accordance with City of Sacramento roadway design standards. Please note that an encroachment permit will be required for all work within the public right of way.
The project description indicates construction of various flood control measures such as adjacent levee structure, flattening of landside slopes, cut-off walls, to mention a few. Within reaches 19A through 20A of the Sacramento River and reaches 1 through 4 of the American River, there are several areas where the construction of these measures could impact existing mature heritage trees, roadways, bike trails, fencing and city utilities. The NOP indicates that this information would be considered during final engineering design. Given the close proximity of these items and the existing levee, there could be conflicts with the desired engineering design. The environmental document should indicate the degree of changes to be made to these items as a result of the project. Any proposed changes to mature heritage trees, bike trails, city parks, city streets, pump stations, and emergency access roads could result in a significant impact resulting in mitigation. Additionally some parcels that may have specific concerns and indentified to date are included in an attachment to this letter.

The project description indicates raising or constructing an additional levee on the NEMDC between Elkhorn and Northgate Boulevard; this levee has an existing bike trail. The environmental document should indicate the degree of change that will occur to this bike trail. At a minimum, information on detour routes and any modifications to the access points should be included, such as at Gardenland Park.

The project description indicates levee modifications along the American River north of Northgate Boulevard which could include cut-off walls. Currently there are two bike trails that connect Arden-Garden to East Levee Road in this area. The environmental document should indicate the degree of change that will occur to this bike trail. At a minimum, information on detour routes should be included.

The project description indicates work to be done to the West Canal; however, it is not completely clear from the description and the maps if the proposed work will impact the existing bike trail that is along the West Canal from I-80 to San Juan Road. If this bike trail is affected, mitigation should be identified in the environmental document.

The Natomas Levee Recreational Trail Project is described as a 42 mile loop to be built in conjunction with the other levee improvements. The project description indicates that details will be considered in the final engineering design. Further description indicates that this trail will be provided as a bicycle commuter route connection to the American River Parkway. A number of questions arise with this proposal that should be addressed:

a) Will this trail be a continuous paved class I bikeway at the conclusion of the project?

b) Will this trail replace existing bike trails, such as those mentioned in the previous comment?

c) Will this trail provide connection to existing bike trails that lead to and from the project site (Natomas Main Drain, Garden Highway Bike Trail)?

d) Will construction of the paved surface require local jurisdictions to provide funding? If so, how will this be addressed?
e) The City of Sacramento will need to review how this trail will be constructed to ensure compliance with established standards. Locations where this trail crosses city streets will need detailed planning to insure safe crossings.

If you have any questions about these comments please contact Aelita Milatzo at (916) 808-1963.

Sincerely,

Hector Barron
City Traffic Engineer

Attachment
ATTACHMENT

Parcels with Specific Concerns

a) Assessor's Parcel Number 274-0220-047-0000 a city owned parcel and has many healthy mature heritage trees.

b) Assessor's Parcel Number 274-0480-058-0000 a bike trail access connecting to the Garden Highway. To the north of this parcel is the cul-de-sac for Marina Glen Way and two private home sites.

c) Assessor's Parcel Number 274-0610-066-0000 a bike trail south of Avocet Court and Swainson Way.

d) Assessor's Parcel Number 274-0560-025-0000 a city park (Shorebird Park).

e) Assessor's Parcel Number 274-0560-027-0000 a city pump station (Pump 160).

f) Assessor's Parcel Number 274-0560-042-0000 an access point for an emergency access road to Shorebird Drive.

g) Assessor's Parcel Number 274-0430-108-0000 two city streets to the north (Durazno Court and La Lima Way) and a small connecting trail between the streets.

h) Assessor's Parcel Number 274-0030-019-0000 an access point for an emergency access road and bike trail connection.

i) Assessor's Parcel Number 274-0680-001-0000 a business park development with a bike trail at the toe of the levee.

j) Assessor's Parcel Number 274-0320-104-0000 an office building development (Farm Bureau) with a bike trail at the toe of the levee.

k) Assessor's Parcel Number 274-0320-103-0000 an office building development (Sutter Health) with a bike trail at the toe of the levee.

l) Assessor's Parcel Number 274-0320-023-0000 a city park, which includes a nature preserve area and mature heritage oak trees.

December 4, 2009

John Bassett, Director of Engineering
SAFCA
1007 7th Street, 7th Floor
Sacramento, CA 95814

AND

Elizabeth Holland, Planning Division
U.S. Army Corps of Engineers
1325 J Street, Room 1480
Sacramento, CA 95814

RE: Comments on Phase 4b “Notice of Preparation”

SAFCA and US Army Corps of Engineers:

The Garden Highway Community Association (GHCA) is an incorporated community association whose membership includes nearly all waterside and landside property owners along the Garden Highway in the area addressed in SAFCA’s Natomas Levee Improvement Program (NLIP). The GHCA supports increased flood protection for the Natomas Basin, as long as it is done in a fiscally responsible, environmentally conscious, and scientifically sound manner. At the same time, as most GHCA members live on or next to the NLIP, they have an enormous interest and concern in how this project is implemented.

Below is a list of comments and concerns regarding the Phase 4b Notice of Preparation.

1. Failure to Adequately Consider Alternative Designs

SAFCA and the USACE have failed to conduct a legitimate, unbiased study to determine the most economically and environmentally sound project design to bring the Natomas Basin up to the USACE 100 year flood protection standard. SAFCA and the USACE have summarily dismissed feasible alternatives that would lead to region-wide solutions to the flooding potential in the Natomas Basin and surrounding communities. They have also failed to make a rationale, “good faith” effort at minimizing the height and footprint of the adjacent levee system, especially in light of the lower and inferior levee systems both upstream and adjacent to the NLIP. Therefore, the project is not in compliance of CEQA and NEPA requirements.

Pursuant to the applicable environmental laws, the agencies responsible for this Project must rigorously explore and objectively evaluate all reasonable alternatives and must devote substantial consideration to each alternative consideration.
Notably, during a recent SAFCA Board meeting which discussed the Project, it was repeated several times that the levee improvement design is a “work in progress” and that certification of ongoing EIS phases was a “worst case scenario” for the environment and property rights. Unfortunately, current environment destruction adjacent to Garden Highway does not correlate with these “work in progress” and “worst case scenario” portrayals. Rather, SAFCA and its contractors are in a race to remove highly sensitive habitat within the ENTIRE project footprint, despite the fact that alternative, less obtrusive levee improvement designs are gaining momentum and the fact that the Project is facing insurmountable fiscal problems.

The GHCA strongly encourages SAFCA and the USACE to look outside the Project’s predestined box and not “clear a construction path” through sensitive habitats and rich farmland based upon “worst case” design scenarios. There are obviously countless alternative designs that would accomplish the flood protection our region needs at a fraction of the monetary, environmental and property-loss cost. For example, simply narrowing the footprint of the “seepage berms” would result in mammoth savings in all three of these areas. These berms, designed to be 500 feet wide in some areas, are unprecedented in our region and seem highly unwarranted when compared to the existing 10-20 foot berms that previously handled several 100-year-floods (without the cut-off walls that will be added as a part of this project). More telling, as evidenced by design concessions to certain property owners, SAFCA and the USACE have shown by their own actions that the footprint of the seepage berms can be substantially narrowed without losing the flood protection it seeks.

CEQA also requires a realistic analysis of the existing physical environmental conditions affecting the Project. Several court decisions have determined that the impacts of a proposed project must be measured against the "real conditions on the ground." Save Our Peninsula Committee v. Monterey County Board of Supervisors (2001) 87 Cal.App.4th 99, 121. "An EIR must focus on impacts to the existing environment, not hypothetical situations." ibid. In determining whether a project's impacts may significantly affect the existing environment, there must be a "baseline" set of environmental conditions to use as a comparison to the anticipated project impacts. As the Court of Appeal has explained, “it is only against this baseline than any significant environmental effects can be determined.” County of Amador v. El Dorado County Water Agency (1999) 76 Cal.App.4th 99, 952.

Despite these requirements, the plans for this Project fail to describe the existing physical environmental conditions in order to determine the Project's significant adverse impacts on the existing environment. Conversely, the entire NLIP design relies upon a computer simulation that describes a hypothetical physical condition, but does not describe the actual physical conditions on the ground, including the current condition of the west side levees along the Sacramento River and the north side levee along the Natomas Cross Canal. This comparison would answer the question of "levee parity" and whether any spots along the river side of the east levee improvements or west side of the Sacramento River in Yolo County, or north side of the Natomas Cross Canal in Sutter County, would be more vulnerable to flooding.
In other words, if the east side levee along the Sacramento River has sufficient freeboard to ensure safe containment of the "200-year" design water surface, then these improved levees will have a significant adverse effect on the existing lower levee, properties, and structures along the west side of the Sacramento River as well as the homes and residents along Garden Highway on the river side of the improved east side levees.

The failure to evaluate the impact of a Project on the existing physical environmental conditions frustrates "the central function of the EIR, to inform decision makers about the impacts of the proposed project on the existing environment." Save Our Peninsula Committee, supra, 87 Cal.App.4th at p. 127.

The Project’s plans further fail to consider the impacts of mounting environmental legislation and biological opinions which will significantly impact alternative flood protection plans, summarily dismissed by SAFCA as “impossible” or “inconceivable.” One such edict recently issued by the The National Marine Fisheries Service unveiled a complex set of rules, a “biological opinion”, which will likely have enormous impacts on local flood protection practices with the goal of increasing the populations of winter and spring-run salmon, Central Valley steelhead and green sturgeon. According to Kate Poole, attorney at the Natural Resources Defense Council, "There's no question any more about the fact that the Bay-Delta ecosystem is in dire need of significant changes and fixes. This is one big step to do that."

The new federal rules require that reclamation districts find a way to flood the Yolo Bypass more often to improve salmon habitat, negating SAFCA’s argument that the Yolo Bypass could not be used to divert more water from the Sacramento River than current rules permit. Moreover, SAFCA’s concern that water diversion to the Yolo Bypass would be too costly to local water and flood agencies apparently did not negate the decision on the new rules. The ruling governs water operations of the California Department of Water Resources, who will share the cost of the new orders. Clearly, flooding the Yolo Bypass “more frequently” will require a lowering of the Sacramento River weirs – a proposal made by the GHCA during 2007 as a more effective, long-term solution in lieu of an eternal levee battle in the narrow channels of the Sacramento River.

2. **Failure to Adequately Consider and Protect Wildlife**

The United States Environmental Protection Agency has previously commented on the NLIP, noting its continued concern over the temporary and permanent effects the Project is expected to have on the waters of the United States and recommended the continued “close consultation and collaboration” with the U. S. Fish and Wildlife Agency, California Department of Fish and Game and The Natomas Basin Conservancy to “ensure effects on woodlands, threatened and sensitive species habitat and waters of the US are avoided and minimized.” Overall, this Agency has previously classified prior EIS drafts associated with the NLIP as “Insufficient Information (EC-2)”.

The California Department of Fish and Game “DFG” has also expressed serious concern regarding the environmental impacts of the NLIP:

- The DFG believes pertinent mitigation measures are potentially unenforceable and may not bring the impacts to fisheries and aquatic resources to below a level that is significant.
The DFG has found transplantation of herbaceous plants is typically unsuccessful and should be considered experimental. Mitigation measures for any potentially unavoidable impacts to special-status plants should include additional measures to increase the chances of survival for the population in question. Mitigation sites should be permanently protected and managed in perpetuity.

The DFG is concerned with potential impacts to raptor nesting behavior not currently addressed in the DEIR, especially with regard to 24/7 construction and an estimated 900-1000 haul trips per day to deliver fill material. The DFG “believes that each of these activities could potentially result in significant impacts to nesting raptors including nest abandonment, starvation of young, and/or reduced health and vigor of eggs or nestlings that could result in death.”

In their current form, the DFG opines that the environmental documents do not explore the potential impacts of nighttime construction activities on nesting raptors. Moreover, construction at night poses additional complications for the effectiveness of biological monitors in ensuring that appropriate buffer zones are in place around active nests and that birds do not abandon their nests.

The DFG has noted that prior DEIRS do not provide a discussion of potential impacts to the Northern Harrier, a ground nesting raptor and does not consider avoidance or mitigation measures.

The GHCA further notes the NLIP purports to mitigate the loss of woodland habitat by the promise to create three acres of canopied woodlands for every one acre destroyed. This mitigation goal is fatally flawed in that there is no discussion, explanation and/or plan to address the environmental tragedy that will result from the 50 to 100 year period required for the “new” woodland habitat to be developed – assuming the planned mitigation goal is even reached.

Despite the failure to mitigate the significant adverse impacts resulting from the destruction of woodland habitat, and the lack of necessary funding to effect the planned mitigation related thereto, SAFCA and its contractors are currently proceeding with the destruction of woodland habitat and the clear-cutting of heritage oaks and other trees.

Further, the NLIP also proposes to utilize lands purchased by the Natomas Basin Conservancy (“Conservancy”) as borrow areas. These borrow areas will provide the base material for the landside levee improvements on the south side levee along the Natomas Cross Canal and the east side levee along the Sacramento River. Despite SAFCA’s proposed use of these lands, the Conservancy acquired these properties to offset urban development’s significant adverse impacts on protected wildlife species within the Natomas Basin. The Conservancy acquires and manages these properties consistent with the Natomas Basin Habitat Conservation Plan. The GHCA believes there still is no agreement between the Conservancy and SAFCA on the use of Conservancy lands and how these lands will carry out their intended conservation purpose after the soil necessary for the construction of the levee improvements is removed. Thus, any claimed mitigation for the loss and disturbance of Conservancy land is impermissibly deferred to some future time after Project approval and implementation.

Despite the fact that the Project’s agencies have been afforded several bites at the apple in an attempt to come up with acceptable environmental mitigation, it continues to gloss over the devastating impact the
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Project will have on the sensitive habitat of protected species, including raptors, snakes and flora (see comments of the California Department of Fish and Game summarized above).

3. **Failure to Study Simultaneous Multi-Phase Construction**

SAFCA, and now the USACE, are currently postulating that multiple phases of the NLIP could be constructed simultaneously. This directly contravenes the construction impact and mitigation advanced in the prior environmental documents and creates new issues not previously studied or addressed. For example, there would be compounded effects of CO2 emissions, noise, dust, vibration, and disruption to wildlife that has not been analyzed. Compared to the original Phase 3 EIR, for example, emissions in just Sacramento County would raise from ROG 75 lb/day to 287 lb/day, NOX 413 lb/day to 1,476 lb/day, and PM10 971 lb/day to 3,847 lb/day if these phases are to be done simultaneously. Moreover, on page ES-16, “Air Quality,” the Phase 3 DEIR references the “nonattainment status of the Feather River Air Quality Management District and the Sacramento Metropolitan Air Quality Management District for ozone and PM10.” The GHCA contends the cumulative effect of simultaneous construction during multiple construction phases has not been sufficiently analyzed by the responsible agencies.

Furthermore, simultaneous construction could involve three or more phases of simultaneous, 24/7 construction. Given the grave impacts of just one 24/7 worksite, the GHCA believes SAFCA and the USACE certainly cannot justify multiple worksites operating in this manner. This impact would make the simultaneous Phases (2, 3, 4a, 4b) unreasonably harmful to wildlife, the environment, and Garden Highway residents.

4. **Failure to Adequately Address Encroachments/Levee Prism**

At page 7 of the NOP, Encroachment Management, the following proposed action appears: “Remove encroachments as required to meet the criteria of the USACE, CVFPB, and FEMA.” Conversely, the Sacramento Division of USACE and SAFCA have repeatedly advised members of the GHCA that the “adjacent” levee adopted by the NLIP “should” remove the waterside trees, landscaping, fencing, and other vegetation and improvements from the “levee prism.” In other words, these agencies believe implementation of the NLIP would spare these items from removal under even the most aggressive encroachment standards. Thus, the GHCA is concerned with the apparent unchanged position regarding encroachments as described in the current NOP.

Of utmost importance to property owners along Phase 4b, the USACE does not mention how they will treat vegetation and encroachments on either side of the levee where they decide not to build an “adjacent setback levee” and thus achieve a new levee prism. If a “one size fits all” approach of denuding levees is applied, it will completely contradict the long established local USACE procedures of planting trees to stabilize the levees, protect endangered wildlife and reduced wind-driven waves. We have also been told that many members of the scientific community believe trees and other vegetation improves the strength of a levee, especially in areas of the country that do not have to contend with hurricane strength winds. What are USACE’s current views on this?

It also does not appear the USACE has identified what (if any) waterside encroachments will be subject to removal within the NLIP and what legal processes will be involved in condemnation of associated property rights. These questions are of utmost importance to the GHCA and its members. SAFCA has
also advised the GHCA it has maps of approximately 30,000 encroachments and all associated easements on the waterside of the levee. SAFCA recently revealed this database to the public, but there is no mention of the encroachments and/or vegetation that the involved flood agencies consider to be unacceptable. Research has revealed some vague, inadequately mapped easements dating back to the early 1900’s which appear to show little or no support for any planned encroachment removal.

SAFCA has also stated “on the record” it is willing to help facilitate “post-facto” permits for encroachments that do not endanger the levee. Would the USACE also be willing to endorse this procedure? Unfortunately, because the property owners have no information as to what items SAFCA and the USACE feel are acceptable encroachments, Garden Highway properties are being left in the dark.

Overall, the members of the GHCA are very concerned about which “encroachments” might require removal and with the various easements SAFCA and/or its partners will attempt to claim. SAFCA has promised to work with each property owner to discuss and resolve issues regarding alleged encroachments, but thus far has taken no such action. Does the USACE plan on doing the same for Phase 4b? Currently, construction Phase 2 of the Project is underway, yet the GHCA is aware of no affected property owners having been contacted regarding encroachment or easement plans. This not only impacts existing improvements, but future improvements. The uncertainty also creates resale problems and negatively affects property values.

5. **Failure to Justify 24/7 Construction**

As accurately noted by the California Department of Fish and Game, previous EIRS/NEPA documents do not adequately address the potential impacts to raptor nesting especially with regard to 24/7 construction and an estimated 900-1000 haul trips per day to deliver fill material. The DFG “believes that each of these activities could potentially result in significant impacts to nesting raptors including nest abandonment, starvation of young, and/or reduced health and vigor of eggs or nestlings that could result in death.” Moreover, the NOP does not explore the potential impacts of nighttime construction activities on nesting raptors. Moreover, construction at night poses additional complications for the effectiveness of biological monitors in ensuring that appropriate buffer zones are in place around active nests and that birds do not abandon their nests.

The NOP contends Cutoff Walls, wells and perhaps additional aspects of the Project require a 24/7 construction schedule. The residents along Garden Highway and the sensitive environment that exists in the riparian, river habitat adjacent thereto cannot be subjected to 24/7 construction simply because SAFCA or the USACE is running behind schedule on what might be perceived as an overly ambitious project. It is anticipated 24/7 construction during subsequent phases of the NLIP would have an exponentially adverse impact on property owners spanning many miles in all directions. Moreover, the use of trucks to get to and from the actual “construction” sites will expand the location of the impact far beyond the limited construction sites addressed by SAFCA and this NOP.

The GHCA also feels the NOP ignores both city and county (Sacramento and Sutter) noise ordinances. As such, the GHCA seeks an explanation as how the USACE plans to deal with violations of local noise ordinances.
6. **Damage to Businesses**

The NOP fails to address the impact of the project on the businesses that exist along and upon Garden Highway which thrive only because individuals seek the tranquility and peace of a rural, river atmosphere that is easily accessible, peaceful and enjoyable.

7. **Hydrology**

The hydrology reports postulated by SAFCA and its engineers in previous Phases conclude the improved levee system contemplated by the NLIP will not increase the flood risk to the waterside property owners within the NLIP. These reports are explicitly based upon the assumption that other surrounding Reclamation Districts will NEVER improve their levees. This assumption is improper, flawed and not in concert with the current push by adjacent Districts to fortify their levees. The threat of increased flood risk cannot be summarily dismissed and a funding mechanism must be included to deal with the financial impact of this impact.

Equally troubling, SAFCA admits its “design event analysis is not the same as the analysis procedure used by USACE.” As the primary advertised goal of the NLIP is to obtain USACE certification, why is SAFCA deviating from the USACE event analysis? The previous SAFCA EIRS/NEPA documents further note that the USACE analysis “includes consideration of system uncertainties.” Does this mean the SAFCA analysis does not account for “system uncertainties” such as the other side of the levee overtopping or failing?

Waterside residents adjacent to the NLIP are very concerned about increased flooding of their homes due to the levee being raised as much as three feet. SAFCA has systematically advised the GHCA not to worry, as levees will overtop or fail elsewhere. Unfortunately, it appears SAFCA’s engineering analysis does not account for this or assumes the other levees will be raised and reinforced. If both sides of the levee are eventually raised, then the water capacity of the river will be increased. This would allow the upstream reservoirs to release more water during a flood event and subject residents to a much greater chance of flooding. The GHCA has been advised there is debate amongst USACE engineers as to which provides the better hydrological model, “perfect world” where you cannot take into account deficiencies in other parts of the levee, or “real world” where you can. What is USACE’s view on this?

8. **Property Values**

The NOP, consistent with all prior SAFCA action related to the NLIP, wholly fails to address the impact of the Project on property values in the affected areas and has no funding mechanism in place to deal with the destruction of property values in and around the project that will ripen into eminent domain and inverse condemnation lawsuits. This exposure includes, but is not limited to, irreparable damage to property values which began when this project was first publically announced (at a time when real estate values were significantly higher than today), and will continue indefinitely into the future. The Project has stalled and prevented sales, land improvements and retirement plans. This trend will increase exponentially when active construction begins. Due the lack of a funding mechanism, the taxpayers will be left to shoulder yet another wave of unanticipated and undisclosed cost overruns.
9. **Failure to Consider Environmental Impact of Development**

While SAFCA publicly justifies the massive NLIP as a necessary cure for the imminent, Hurricane Katrina type flooding that could occur in the Natomas Basin in the event of a 100-year flood, in reality SAFCA is simply trying to lift the building moratorium affecting the builders who have imprudently chosen to pave over rice fields in a “basin”. These are the same developers who have spent hundreds of thousands of dollars supporting our local officials and lobbying for the right to resume rapid development within the floodplain. Without more “urban sprawl”, these developers and the County of Sacramento are unable to tap into the “quick cash” that has been created from destroying our evaporating farm lands.

The GHCA contends that rather than encouraging additional urban sprawl, local agencies should be focusing on creating more housing in urban areas, i.e. building up, not out. Moreover, the failure of local agencies to curb their appetite for our farmlands will only increase traffic congestion, gas and carbon emissions and regional pollution at a time when universal fears and concerns over global warming, water scarcity and energy depletion is gaining momentum.

The GHCA contends the urban sprawl into the Natomas Basin, quite ironically, increases the flood potential for Natomas and surrounding communities. Vast farmland that previously collected and stored water during heavy storms, before slowly releasing it through natural underground seepage, has now been paved and improved with storm drains. Accordingly, thousands of acre feet of rainwater that previously rested safely within area farmland is now immediately collected and pumped into the Sacramento River. Historical flow charts from the Sacramento River during times of heavy storms confirm the negative impact Natomas Basin development is having on regional flood protection.

10. **Failure of the Notice of Preparation to abide by the Settlement Agreement between SAFCA and the GHCA.**

The “Notice of Preparation” in no way mentions the previously agreed to settlement agreement between SAFCA and the GHCA. While the GHCA understands the USACE is not SAFCA, as the assignee of certain aspects of the Project, the USACE is legally required to comply with all legally enforceable agreements entered into by SAFCA, the assignor. To hold otherwise would render the settlement agreement between SAFCA and the GHCA illusory.

11. **Rights of Entry/Eminent Domain.**

It has recently come to the attention of the GHCA that SAFCA has pursued Right of Entry Agreements from Garden Highway property owners without advising those property owners of any authority for the desired access and without advising owners of their associated rights. By withholding this critical information, SAFCA has in essence coerced many Garden Highway residents into making uninformed decisions under the bold threat of imminent litigation should they resist.

In response to a recent complaint by the GHCA, counsel for SAFCA has confessed that entry onto the private property of Garden Highway residents is being sought pursuant to the Eminent Domain laws of the State of California. However, pursuant to California Code of Civil Procedure Section 1245.010, SAFCA and/or its contractors must be “**authorized to acquire property for a particular use**” before
they may enter private property in order to “take photographs, studies, surveys, examinations, tests, soundings, borings, samplings, or appraisals or to engage in similar activities reasonably related to acquisition or use of the property for that use.” Apparently, SAFCA has repeatedly misinformed property owners that SAFCA possesses this authority when, in reality, no such authority had ever been obtained.

Based upon the foregoing, the GHCA hereby submits that all involved flood agencies seeking permission to enter private property must notify the affected property owners of the legal authority upon which the agency relies, along with a full description of the associated rights afforded the property owners.

Lastly, the GHCA hereby objects to the “taking” of private lands pursuant to the Eminent Domain laws under the guise that these lands are necessary for the development of the Project, when in fact the involved agency actually and surreptitiously plans to convey the condemned land to another private party, i.e. the airport.

12. **Natomas Levee Recreational Trail Project.**

The GHCA is pleased a recreational trail is finally being included as part of the NLIP. Unfortunately there is no funding mechanism in place other than waiting on the Department of Transportation, which has admitted could take years. As SAFCA and the USACE are already spending millions of dollars protecting cultural resources of Native American Indians, the GHCA believes it would be practical to allocate a nominal sum of money to enhance the resources of the current living residents in the Natomas Basin. The simple modification of the design of the new levee crown from a gravel road to paved road would bear a meager cost and would streamline the bike path for the DOT.

13. **Incorporation.**

The GHCA also hereby incorporates by reference all comments asserted by Garden Highway property owners and/or their representatives in response to this portion of the NLIP.

In sum, while the GHCA appreciates the daunting task this Project presents to the involved flood agencies, its members strongly feel that a more rational design approach would substantially reduce these challenges, save the taxpayers hundreds of millions of dollars, preserve sensitive habitat and rich farmland and ultimately expedite recertification of the Natomas levees. Moreover, the GHCA implores the involved flood agencies to continue to acknowledge and adhere to the rights of all Garden Highway residents, businesses and property owners.

Respectfully submitted,

GARDEN HIGHWAY COMMUNITY ASSOCIATION
From: Walt Seifert [mailto:bikesaba@gmail.com]
Sent: Friday, December 04, 2009 1:58 PM
To: Bassett. John (MSA)
Subject: Notice of Preparation of EIS/EIR on Phase 4b of the Natomas Levee Improvement Program

John Bassett, P.E., Director of Engineering
Sacramento Area Flood Control Agency
1007 7th Street, 7th Floor
Sacramento, CA 95814

RE: Notice of Preparation of EIS/EIR on Phase 4b of the Natomas Levee Improvement Program

Dear Mr. Bassett:

Thank you for the opportunity to comment on the subject NOP. SABA works to ensure that bicycling is safe, convenient, and desirable for everyday transportation. Bicycling is the healthiest, cleanest, cheapest, quietest, most energy efficient, and least congesting form of transportation.

We are very pleased that the Phase 4b Project includes construction of the Natomas Levee Recreational Trail Project, a 42-mile bicycle and pedestrian Class I facility. This trail will tremendously enhance the recreational opportunities for bicyclists and pedestrians in the Sacramento region. It will also provide key linkages for bicycle commuters to access employment centers from the northern residential neighborhoods of Sacramento and its suburbs.

Construction of the Phase 4b Project will cause significant adverse impacts to existing bicycle routes for both recreational and utilitarian purposes. These important bicycle routes include the Garden Highway and its intersecting streets and roads and the Ueda Parkway bike trail along the western levee of the Natomas East Main Drainage Canal (also called Steelhead Creek). The NOP states that project construction may require closure of these bike routes for up to 6 months, a significant adverse impact on bicycle transportation.

To mitigate this significant adverse impact, the EIS/EIR must describe adequate mitigation including:

- Alternative bicycle access through or adjacent to construction areas,
- Proper advance signage for any detours or route changes,
- Access to bicycle devices at traffic signals,
- Signage for vehicle operators (for example, “share the road” signs and pavement symbols) and maximum vehicle speed limits of 25 mph where separate bicycle lanes cannot be provided,
• Advance development of Traffic Control Plans that show traffic control measures for bicyclists with the plans reviewed and approved before construction initiation by the Sacramento city and county bicycle coordinators, and
• Noticing to bicycle-interest organizations in the Sacramento area.

The Ueda Parkway bike trail currently has limited connections with surface streets in the neighborhoods near which it passes. Reconstruction of the Ueda Parkway bike trail after completion of the levee project should include establishing connections to the following surface streets:
  • Indiana Ave
  • Senator Ave
  • Rosin Court
  • Tandy Court
  • North Market Blvd

SABA is an award-winning nonprofit organization with more than 1400 members. We represent bicyclists. Our aim is more and safer trips by bike. We are working for a future in which bicycling for everyday transportation is common because it is safe, convenient, and desirable. Bicycling is the healthiest, cleanest, cheapest, quietest, most energy efficient, and least congesting form of transportation.

Thank you for considering our comments.

Yours truly,

Jordan Lang
Project Assistant

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If you are not the intended recipient, please contact the sender immediately and permanently delete the original and any copies of this email and any attachments thereto.
-----Original Message-----
From: Dan Kaufman [mailto:dan@kaufmancoltd.com]
Sent: Monday, November 09, 2009 2:34 PM
To: Bassett. John (MSA)
Subject: FW: 2maps

John,

In response to SAFCA Notice dated November 5, 2009, would you please advise me of the proposed phase and year covering property located north of Sankey Road to Howsley Road. Also, please advise us why our property is not included in your Notice as a Potential Borrow Site, given that it has been considered in the past as a Basin as shown on the attached map due to the Sankey Spill.

Thank you.

Dan Kaufman
License No. 00233837
KAUFMAN & COMPANY, LTD
KAUFMAN PROPERTIES, INC
10 Fullerton Court, Suite 200
Sacramento, CA 95825
Ph (916) 565-7000
Fax (916) 565-7010
dan@kaufmancoltd.com

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Sloatman, Lindsey

From: Bassett. John (MSA) [bassettj@SacCounty.NET]
Sent: Friday, December 04, 2009 4:11 PM
To: Dunn, Francine; Henningsen, Sarah; Rader, David
Subject: FW: 2maps
Attachments: DK_2maps.pdf

-----Original Message-----
From: Dan Kaufman [mailto:dan@kaufmancoltd.com]
Sent: Friday, November 13, 2009 3:35 PM
To: Bassett. John (MSA)
Subject: FW: 2maps

John,

At your earliest convince, would you call or reply to my November 9, 2009 email so that I may advise my partners on the status of SAFCA interest in our property. Again, Thanks.

Dan Kaufman
License No. 00233837
KAUFMAN & COMPANY, LTD
KAUFMAN PROPERTIES, INC
10 Fullerton Court, Suite 200
Sacramento, CA 95825
Ph (916) 565-7000
Fax (916) 565-7010
dan@kaufmancoltd.com

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Sent: Monday, November 09, 2009 2:34 PM
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Subject: FW: 2maps

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