

Addendum No. 4 to the Environmental Impact Report on the
Natomas Levee Improvement Program
Phase 4a Landside Improvements Project



State Clearinghouse No. 2009032097

Prepared for:



March 9, 2015

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1 ADDENDUM NO. 4 TO THE PHASE 4a LANDSIDE EIR

1.1 SECTION 1. INTRODUCTION

As the lead agency under the California Environmental Quality Act (CEQA), the Sacramento Area Flood Control Agency (SAFCA) has prepared Addendum No. 4 to the *Final Environmental Impact Report, Natomas Levee Improvement Program Phase 4a Landside Improvements Project* (State Clearinghouse No. 2009032097) (Phase 4a EIR) (USACE and SAFCA. 2009). Addendum No. 4 addresses minor refinements to the Phase 4a Landside Improvements Project (Project) that reconfigure the outlet drain and construct a new weir and 18-inch pipe to convey water approximately 543 feet from the Natomas Farms East complex in the Fishermen's Lake Reserve Area (FLRA) into The Natomas Basic Conservancy's (TNBC's) Natomas Farms recirculation ditch. Addendum No. 4 was prepared consistent with State CEQA Guidelines Section 15164 because it was determined that none of the criteria specified in State CEQA Guidelines Section 15162 that trigger a subsequent or supplemental EIR were met; minor Project refinements would not result in new significant impacts or substantially more severe impacts, and no previously infeasible or new mitigation measures or alternatives are now available to reduce significant impacts.

Four environmental documents relevant to CEQA compliance for the Project have been prepared:

1. *Final Environmental Impact Report, Natomas Levee Improvement Program Phase 4a Landside Improvements Project* (State Clearinghouse No. 2009032097);
2. Addendum No. 1 evaluating minor Project refinements in the Fishermen's Lake Reserve Area;
3. Addendum No. 2 evaluating minor Project refinements along the West Drainage Canal; and
4. Addendum No. 3 evaluating additional minor Project refinements along the West Drainage Canal.

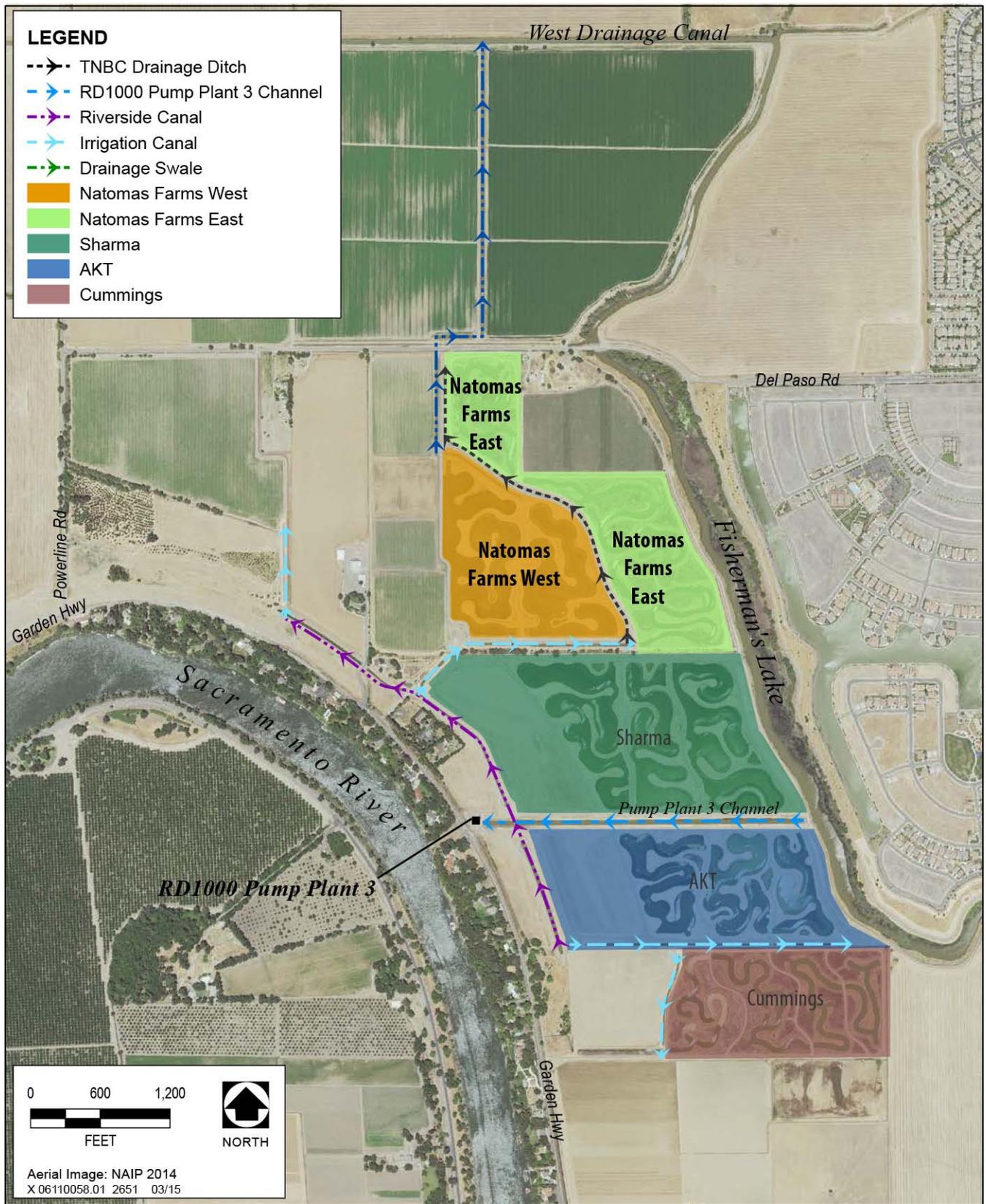
These documents are available at the SAFCA offices at 1007 7th Street, 7th Floor, Sacramento, CA 95814, and online at SAFCA's Web site (http://www.safca.org/Programs_Natomas.html).

1.2 SECTION 2. BACKGROUND

SAFCA has undertaken NLIP to reduce the risk of flood damage in the Natomas Basin. SAFCA continues to make minor refinements to the later phases of NLIP that are under its purview, and the U.S. Army Corps of Engineers (USACE) plans to finish levee repairs and improvements under Phase 4b. One of the project objectives is to use the program's flood damage reduction projects to increase the extent and connectivity of the lands in the Natomas Basin that are being managed to provide habitat for giant garter snake (GGS) (*Thamnophis gigas*), Swainson's hawk (*Buteo swainsonii*), and other special-status species. The location of the Natomas Farms East complex within the FLRA is depicted on **Plate 1**. **Plate 2** illustrates the proposed weir and pipe that would be constructed to convey water from the Natomas Farms East complex into the TNBC's Natomas Farms recirculation ditch.

1.2.1 FISHERMAN'S LAKE RESERVE AREA

The FLRA consists of several properties that are managed to preserve special-status species habitats adjacent to Fishermen's Lake. These properties include Natomas Farms, Sharma, AKT, and Cummings (**Plate 1**). TNBC acquired the Natomas Farms property in 2001 and subsequently built a marsh on the northern and eastern portions



Source: AECOM 2014

Plate 1. SAFCA NLIP Managed Marsh and Existing Facilities



Source: Mead & Hunt 2014, AECOM 2014

Plate 2. Natomas Farms East Marsh Proposed Elements

of the property. This area is referred to as Natomas Farms East marsh. TNBC built an additional managed marsh at Cummings (see **Plate 1**) in 2005.

As NLIP was developed, SAFCA made several changes to the properties within the FLRA. SAFCA acquired the southwestern portion of Natomas Farms (now called Natomas Farms West), as well as Sharma and AKT. These parcels were used as a source of fill to reconstruct, re-build, or otherwise fortify Natomas levees. Following soil excavation, portions of these properties were constructed into marshes, similar to TNBC's Natomas Farms East marsh. This work modified the needs, water supply, and water delivery facilities in the immediate area and was addressed in the Phase 4a EIR and previous amendments.

1.2.2 TNBC NATOMAS FARMS RECIRCULATION DITCH

In the process of removing soil from Natomas Farms West, the drainage system of the farm fields, marsh complexes, and water conveyance structures was reconfigured. Due to these changes, the Natomas Central Mutual Water Company (NCMWC) and the Reclamation District 1000 (RD 1000) expressed concern about the potential for stagnant water and poor water quality in Fishermen's Lake as a result of the reconfigured system. NCMWC supplies waters to users within the Natomas Basin and RD 1000 pumps water from the Natomas Basin into the Sacramento River. NCMWC and RD 1000 requested that SAFCA improve water circulation around the SAFCA and TNBC properties in the FLRA. The TNBC recirculation ditch was constructed to respond to water quality concerns, and to provide TNBC with additional water management flexibility.

SAFCA constructed the Natomas Farms West marsh, the TNBC Natomas Farms recirculation ditch, and a drainage ditch as part of the NLIP Phase 4a improvements covered in Addendum No. 1 to the Phase 4a EIR. The recirculation ditch was created to provide a new channel that would naturally filter water from the Natomas Farms West marsh before it entered previously existing waterways, including the West Drainage Canal and Fisherman's Lake. The initial design did not connect the Natomas Farms East marsh to the TNBC Natomas Farms recirculation ditch, because the marsh had been previously constructed and was already fully functioning. Instead, the Natomas Farms East marsh currently drains to Fisherman's Lake via a ditch along Del Paso Road.

1.3 SECTION 3. PROPOSED PROJECT REFINEMENTS

The proposed minor Project refinements would reconfigure flow from the Natomas Farms East marsh to enter the TNBC recirculation ditch instead of routing the water more directly to Fisherman's Lake (along a ditch at the south side of Del Paso Road). These refinements would improve water quality before water re-enters the system, and would reduce the need for groundwater pumping to improve water quality in Fisherman's Lake. The proposed Project refinements would improve water quality, provide water management flexibility, and preserve groundwater.

The inlet for the reconfiguration would be placed inside the existing drainage ditch, just north of the marsh itself (**Plate 2**). The existing drainage ditch in this area is regularly maintained by TNBC. Two twin-track weirs would be placed inside the existing ditch to divert flows into the TNBC drainage ditch. The current outlet for the Natomas Farms East marsh generally flows north to a ditch along the south side of Del Paso Road and then continues east where it empties into Fisherman's Lake. Approximately 543 feet of 18-inch high-density polyethylene (HDPE) pipe would be placed under an existing gravel road, sloping from the existing ditch down to the TNBC drainage ditch (over existing pipes in the TNBC recirculation ditch). Controlled low-strength material

(CLSM, otherwise known as plastic cement) would be used to secure the HDPE in place at the bottom of the trench. CLSM would be poured in distinct segments and contained with sandbags to prevent material from migrating into adjacent waters to protect water quality. The work area would be approximately 40 feet wide along the length of the alignment to allow the pipe to be placed and sloped for safe working conditions. Existing rock armor within the ditch would be temporarily removed and replaced to set the lower end of the pipe, which is designed to be above the water line. To minimize potential impacts to aestivating GGS in upland areas during the inactive season, all ground-disturbing activities would take place between May and September.

A staging area near the north side of the marsh would be required to store construction materials, such as pipe. This area was originally intended to accommodate a parking lot; the area has since been seeded with native upland species to help control weeds and prevent erosion. During construction, the southern limits of the staging area would be established by installing high-visibility barrier fencing at a minimum distance of 10 feet from emergent vegetation in the adjacent marsh. Stockpiles from the gravel road would be stored closer to the TNBC drainage ditch on existing gravelled areas to prevent unnecessary ground disturbance. Equipment would be parked near the TNBC recirculation ditch or in the construction zone during non-work hours. All roads and temporary storage areas will be restored to their original condition after installing the new outlet.

1.3.1 CONSTRUCTION TRAFFIC

Traffic coming to and from the project site would be minimal. Existing entrance roads would be used to allow entry from either side to the project site. Pipe, twin-track weirs, riprap, and other project materials would be delivered as necessary, but no fill would be required. Native soil would be used to backfill the trench. A minor amount of excavated material may be transported to other previously approved project areas due to the placement of CLSM in the bottom of the trench.

1.4 SECTION 4. CEQA REQUIREMENTS FOR MINOR PROJECT CHANGES OR ADDITIONS

Under the State CEQA Guidelines (California Code of Regulations [CCR] Section 15164), an addendum to a previously certified EIR is required when minor technical changes or additions in the project are proposed, but none of the conditions described in the State CEQA Guidelines that require either a subsequent EIR (CCR Section 15162) or a supplemental EIR (CCR Section 15163) have occurred.

1.4.1 SUBSEQUENT OR SUPPLEMENTAL ENVIRONMENTAL IMPACT REPORTS

Under the State CEQA Guidelines (CCR Section 15162), a subsequent EIR is required whenever any of the following conditions occur:

- ▶ substantial changes are proposed in the project that will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;
- ▶ substantial changes occur with respect to the circumstances under which the project is undertaken that will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or

- ▶ new information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete or the negative declaration was adopted, shows any of the following:
 - the project will have one or more significant effects not discussed in the previous EIR or negative declaration;
 - significant effects previously examined will be substantially more severe than shown in the previous EIR;
 - mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or
 - mitigation measures or alternatives that are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.

- ▶ Under the State CEQA Guidelines (CCR Section 15163), a lead or responsible agency may choose to prepare a supplement to an EIR rather than a subsequent EIR if the following conditions occur:
 - any of the conditions described in CCR Section 15162 would require the preparation of a subsequent EIR; and
 - only minor additions or changes would be necessary to make the previous EIR adequately apply to the project in the changed situation.

1.5 SECTION 5. ENVIRONMENTAL ANALYSIS

This section of the addendum analyzes the potential effects on the physical environment from implementation of the proposed refinements to the Phase 4a Project. This analysis has been prepared to determine whether any of the conditions described above that would require preparation of a subsequent or supplemental EIR would occur as a result of the proposed Project refinements.

1.5.1 ISSUES NOT ANALYZED FURTHER IN THIS ADDENDUM

The proposed Project refinements described in this addendum constitute minor changes in the approved Phase 4a Project and certified Phase 4a EIR. Implementation of the proposed refinements would not cause a new significant impact or a substantial increase in the severity or intensity of the impacts identified in the Phase 4a EIR for the following issue areas:

- ▶ air quality (negligible changes to already covered construction activities)
- ▶ agricultural resources (no effect);
- ▶ land use, socioeconomics, population, and housing (no effect to land use and negligible changes to already planned construction activities);

- ▶ geology and soils (no new affected footprint and negligible effects);
- ▶ hydrology and hydraulics (beneficial effects as water quality is improved in Fishermen’s Lake and groundwater pumping is reduced);
- ▶ fisheries (beneficial effects as water quality is improved in Fishermen’s Lake and groundwater pumping is reduced);
- ▶ sensitive aquatic habitats (beneficial effects as water quality is improved in Fishermen’s Lake and groundwater pumping is reduced);
- ▶ cultural resources (no new affected footprint and no known identified effects);
- ▶ noise (negligible changes to already-planned construction activities)
- ▶ paleontological resources (no new affected footprint and no known identified);
- ▶ recreation (no effect);
- ▶ transportation and circulation (negligible changes to already-planned construction activities)
- ▶ visual resources (negligible effects during construction and from flow changes);
- ▶ utilities and service systems (no effect as no utility or services on affected site);
- ▶ hazards and hazardous materials (no new affected footprint or changes from existing construction practices);
- ▶ airport safety (no new affected footprint and no effects);
- ▶ wildfire hazards (no new affected footprint and no effects); and
- ▶ environmental justice (no new population or affected footprint, and no effects).

1.5.2 ISSUES CARRIED FORWARD FOR FURTHER ANALYSIS IN THIS ADDENDUM

1.5.2.1 BIOLOGICAL RESOURCES

Section 4.7, “Biological Resources,” of the Phase 4a draft EIR analyzed the potential for biological impacts associated with creation of new canal habitat and SAFCA’s programmatic conservation strategy.

Giant Garter Snake

Giant garter snake (GGS) is known to occur in the FLRA. Impacts to GGS are adequately addressed in the Phase 4a EIR (including Mitigation Measure 4.7-e), three addenda to the Phase 4a EIR, the Phase 4a biological opinion (File 81420-2010-F-0446-1, issued May 20, 2010) and the NLIP programmatic biological opinion (File 81420-2008-F-0195-5, issued October 8, 2008). Impacts from the project refinements would not increase the severity of impact beyond that considered in the Phase 4a EIR and addenda. Protection measures for GGS in the Phase 2 and Phase 3 2081(b) incidental take permits (File 2081-2009-003-02, issued May 21, 2009; and File 2081-2009-020-

02, issued June 9, 2010) would also be followed. SAFCA would consult with the U.S. Army Corps of Engineers (the agency responsible for the NLIP biological opinion), the U.S. Fish and Wildlife Service (USFWS), and the California Department of Fish and Wildlife (CDFW) prior to implementing the proposed Project refinements. Any necessary amendments or permits would be obtained.

Western Pond Turtle

Western pond turtle (*Emys marmorata*) is known to occur in the FLRA. The proposed Project refinements would not increase the severity of impacts on western pond turtles, and existing Mitigation Measure 4.7-h in the Phase 4a EIR adequately reduces potential impacts to this species.

Swainson's Hawk

Temporary impacts to low-quality foraging habitat for Swainson's hawk would occur during construction. The majority of the new pipe alignment is on existing gravel roads. Ground-disturbing activities would be minimized in non-graveled staging areas to the extent feasible. Preconstruction surveys for nesting raptors were performed in the Project vicinity for several years (2012 – 2014). The closest mature trees that could be used by nesting raptors are located along the shore of Fisherman's Lake; however, no active raptors nests were located during the preconstruction surveys. Red-shouldered hawks (*Buteo jamaicensis*) built a nest in the radio tower near the northeast corner of Natomas Farms East marsh in previous years; however, Swainson's hawks are unlikely to nest in the radio tower. Impacts from the Project refinements would not increase the severity of impact beyond that identified in the Phase 4a EIR. Potential minor impacts to Swainson's hawk are adequately addressed in, and will be mitigated in accordance with, the Phase 4a EIR (including Mitigation Measure 4.7-f) and existing 2081(b) permits.

Nesting Birds

It is possible that red-winged blackbird (*Agelaius phoeniceus*) or other marsh species could nest in emergent vegetation on the north side of Natomas Farms East marsh and, as noted above, a red-shouldered hawk nest is known to have occurred nearby. Impacts from the Project refinements would not increase the severity of impact beyond that identified in the Phase 4a EIR. In accordance with existing Phase 4a EIR Mitigation Measure 4.7-f for nesting birds, preconstruction surveys will be performed and additional avoidance and minimization measures will be taken if required.

Western Burrowing Owl

No ground squirrel burrows are in the Project refinement area; therefore, western burrowing owls (*Athene cunicularia*) are not likely to occur there. Impacts from the Project refinements would not increase the severity of impact beyond that identified in the Phase 4a EIR. Existing Mitigation Measure 4.7-h in the Phase 4a EIR adequately addresses potential impacts to this species.

Conclusion

As discussed above, no new or substantially increased significant environmental effects would occur. Certain biological impacts would remain significant and unavoidable with respect to biological resources as determined in

the Phase 4a EIR, but the proposed Project revisions would have negligible, if any, adverse effects to special-status and other species. No new mitigation measures would be required.

1.6 SECTION 6. CONCLUSIONS

Addendum No. 4 was prepared consistent with State CEQA Guidelines Section 15164 because it was determined in the impact analysis above that none of the criteria specified in State CEQA Guidelines Section 15162 that trigger a subsequent or supplemental EIR were met; minor Project refinements would not result in new significant impacts or substantially more severe impacts, and no previously infeasible or new mitigation measures or alternatives are now available to reduce significant impacts.

Furthermore, no changes in the circumstances under which the Project refinements would be undertaken would require major revisions to the Phase 4a EIR because of new or substantially increased significant environmental effects. In addition, no new information of substantial importance has been discovered that would trigger or require major revisions to the Phase 4a EIR because of new or substantially increased significant environmental effects. No new mitigation measures, beyond those identified in the Phase 4a EIR, would be required for the proposed Project modifications. Therefore, no subsequent or supplemental EIR is required before approval of the minor Project refinements proposed in this Addendum No. 4.

1.7 SECTION 7. REFERENCES CITED

U.S Army Corps of Engineers and Sacramento Area Flood Control Agency. 2009 (August 28). *Draft Environmental Impact Report on the Natomas Levee Improvement Program Phase 4a Landside Improvements Project*. State Clearinghouse No. 2009032097. Sacramento, CA. Prepared by EDAW/AECOM, Sacramento, CA.

USACE and SAFCA. *See* U.S. Army Corps of Engineers and Sacramento Area Flood Control Agency.

