



Central Valley Regional Water Quality Control Board

2 December 2021

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

NOTICE OF APPLICABILITY FOR COVERAGE UNDER CLEAN WATER ACT SECTION 401 GENERAL WATER QUALITY CERTIFICATION OF THE AMERICAN RIVER WATERSHED COMMON FEATURES 2016 PROJECT, LOWER AMERICAN RIVER CONTRACT 2 PROJECT (WDID#5A34CR00819-003), SACRAMENTO COUNTY

On 7 October 2021, the United States Army Corps of Engineers (Permittee) submitted a Notice of Intent (NOI) to enroll under and comply with submitted a Notice of Intent (NOI) to enroll under and comply with Central Valley Regional Water Quality Control Board (Central Valley Water Board) Clean Water Act Section 401 Water Quality Certification of the American River Watershed Common Features 2016 Project Certification and Order (Order)(WDID#5A34CR00819).

The Central Valley Water Board has reviewed your enrollment materials and finds the Lower American River Contract 2 Project (Project) meets the requirements of and is hereby enrolled under the Order. You may proceed with your Project in accordance with the Order.

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

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

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

PROJECT DESCRIPTION:

The purpose of the Project is to reduce the risk of levee failure associated with erosion along the Lower American River (LAR). The Project consists of installing approximately 7,800 linear feet of erosion protection, and establishing on-site riparian habitat features along two levee segments of the LAR (Sites 2-2 and 2-3). Three off-site riparian habitat

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

restoration sites (Arden Pond and two areas at Rossmore Bar) will be created as mitigation for the project. Temporary staging areas will be created as stockpile sites and haul routes. Additionally, Campus Commons Golf Course will be reconstructed. Approximately 363,300 cubic yards of soil will be excavated and removed off site to stockpile locations to be used for Site 2-3 and for the Arden Pond mitigation site.

Bank Erosion Protection

Project includes installing a launchable rock toe protection, a series of rock tiebacks connecting the rock toe with the existing bank line, planting benches between the rock toe and the backline, and placing soil-filled rock slope protection (RSP) upstream and downstream of the planting benches. The launchable rock toe protection will be approximately 20 feet wide, and approximately 1,259 feet long. Instream woody materials will be placed along the top of the launchable rock toe to provide additional fish habitat.

A series of planting benches separated by rock tiebacks will be graded in the middle third of Site 2-2. The rock tiebacks will extend the full distance between the proposed launchable rock toe protection and the top of the existing bank revetment.

The Project also includes installing soil filled RSP along site 2-2. The soil will be a mix of native and imported soil if needed. The soil-filled RSP will be seeded with native upland species.

The Project activities at Site 2-3 include bank grading to construct planting benches and excavating and installing transverse buried rock structures. Installing erosion protection features at Site 2-3 will extend approximately 6,889 feet. The bank will be graded to flatten the slope and three levels of planting benches will be constructed to support native riparian vegetation, featuring low riparian planting to prevent scour in the lower bench. Transverse rock structures buried 2 feet below the cut bank grade will be installed. Rock tiebacks and a launchable rock spur will be excavated out of the lower bench. Instream woody material will be installed at the lower bench.

RSP and soil-filled RSP will be placed within several small areas in the vicinity of the H Street Bridge. A launchable rock trench will be placed under the bridge and extend approximately 170 feet of bank line. RSP will be placed at piers and along the waterside levee face.

Arden Pond Mitigation Site

The Project will restore habitat at the Arden Pond Mitigation Site to create the north berm, south berm and the shallow side channel. The Arden Pond site is designed to enhance aquatic habitat for rearing and migration of juvenile salmonids. Approximately 15,000 cubic yards of cobble, 330,000 cubic yards of soil, and 482 trees will be placed within the site.

Grading and excavating soil, constructing a planting bench, and placing RSP for erosion protection will impact aquatic resources identified in the area. The Project will temporarily impact 38.34 acre of wetland habitat for the creation of the Arden Pond

Mitigation Site. The Project will permanently impact 14.11 acres/3,403 linear feet of riparian zone habitat, and 7.05 acres of stream channel habitat for project construction at Sites 2-2 and 2-3. The construction of the Arden Pond Mitigation site will result in the net gain of 5.11 acres of wetland habitat.

PROJECT TYPE:

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

ADDITIONAL CONDITION:

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

PROJECT LOCATION:

The Project is located at two sites along the Lower American River. Site 2-2 extends along the right bank from approximately RM 7.45 upstream to RM 7.65. Site 2-3 is located along the right bank between RM 5.9 and RM-7.2. The Project is in the Lower American HSA of the Valley-American Hydrologic Unit #519.21 in the Sacramento River Basin.

Sections 3 and 10, Township 8 North, Range 5 East, MDB&M

Latitude: 38.57603° N and Longitude: 121.4189° W

PROJECT SCHEDULE:

30 October 2021 through 31 December 2023

COMPENSATORY MITIGATION

To mitigate for the permanent loss of 14.11 acres of riparian habitat and 7.05 acres of stream channel habitat, the Permittee shall provide compensatory mitigation as described in Section XV.K. of the Order. The Permittee shall provide evidence of all off-site compensatory mitigation to the Central Valley Water Board. Evidence of on-site compensatory mitigation shall be provided with the Notice of Completion. At a minimum, compensatory mitigation must achieve a ratio of 1:1 for permanent impacts.

APPLICATION FEE RECEIVED:

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

PROJECT SPECIFIC AVOIDANCE AND MINIMIZATION MEASURES:

The Permittee shall implement the Impact Avoidance and Minimization Measures described in Section 3.5.6 of the American River Common Features 2016 American River Contract 2 Supplemental Environmental Impact Statement/Environmental Impact Report (EIS/EIR) (SCH#2005072046) for the Project, described in the Order. The Permittee shall implement the Project Specific Measures described in Section 4 of the Notice of Intent for the Project.

WATER QUALITY MONITORING:

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

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

Original Signed By James Marshall for:

Patrick Pulupa
Executive Officer

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

Attachments: Figure 1 – Project Location Map
Figure 2 –Arden Pond Mitigation Site Map

cc: Distribution List, page 4

DISTRIBUTION LIST

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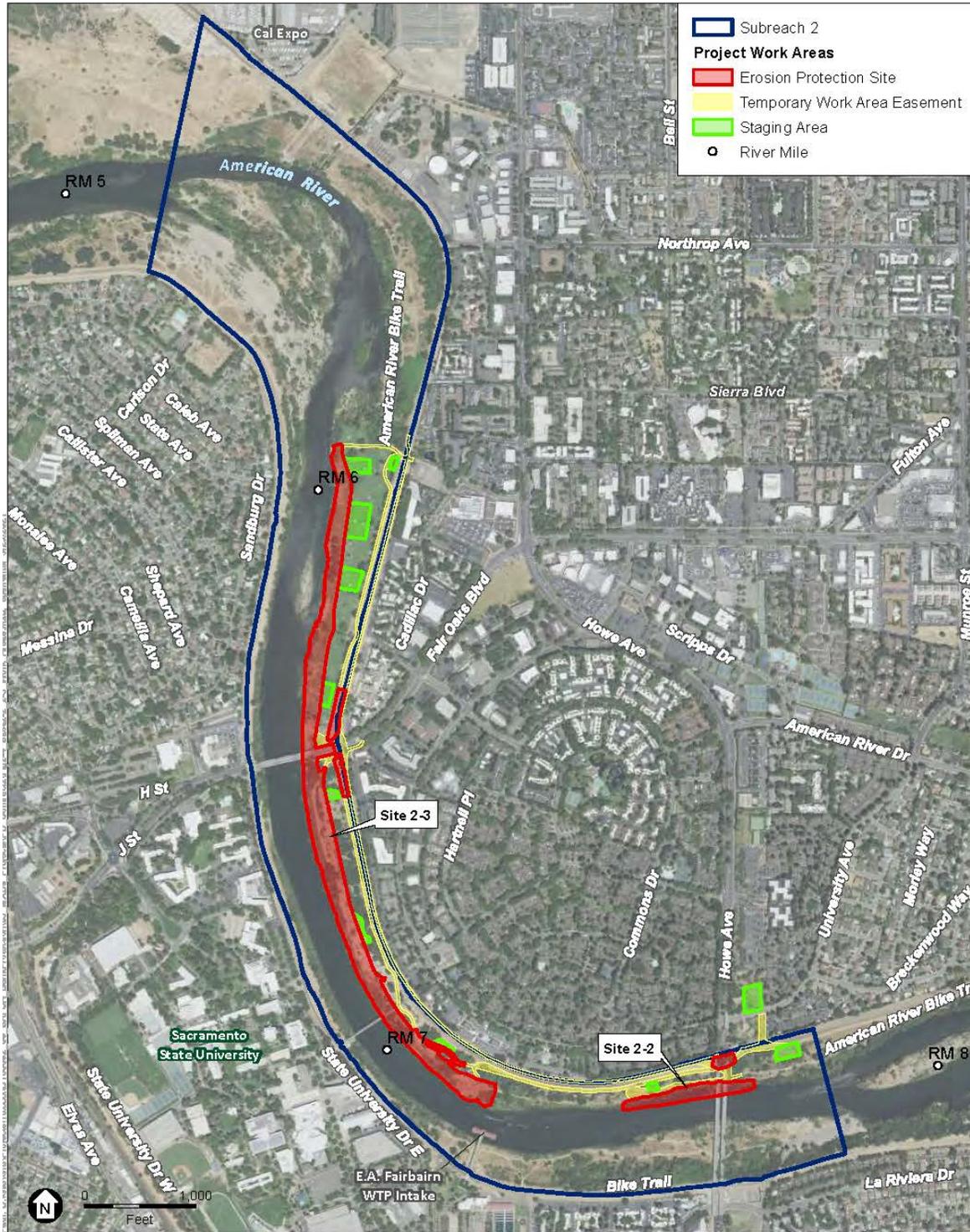
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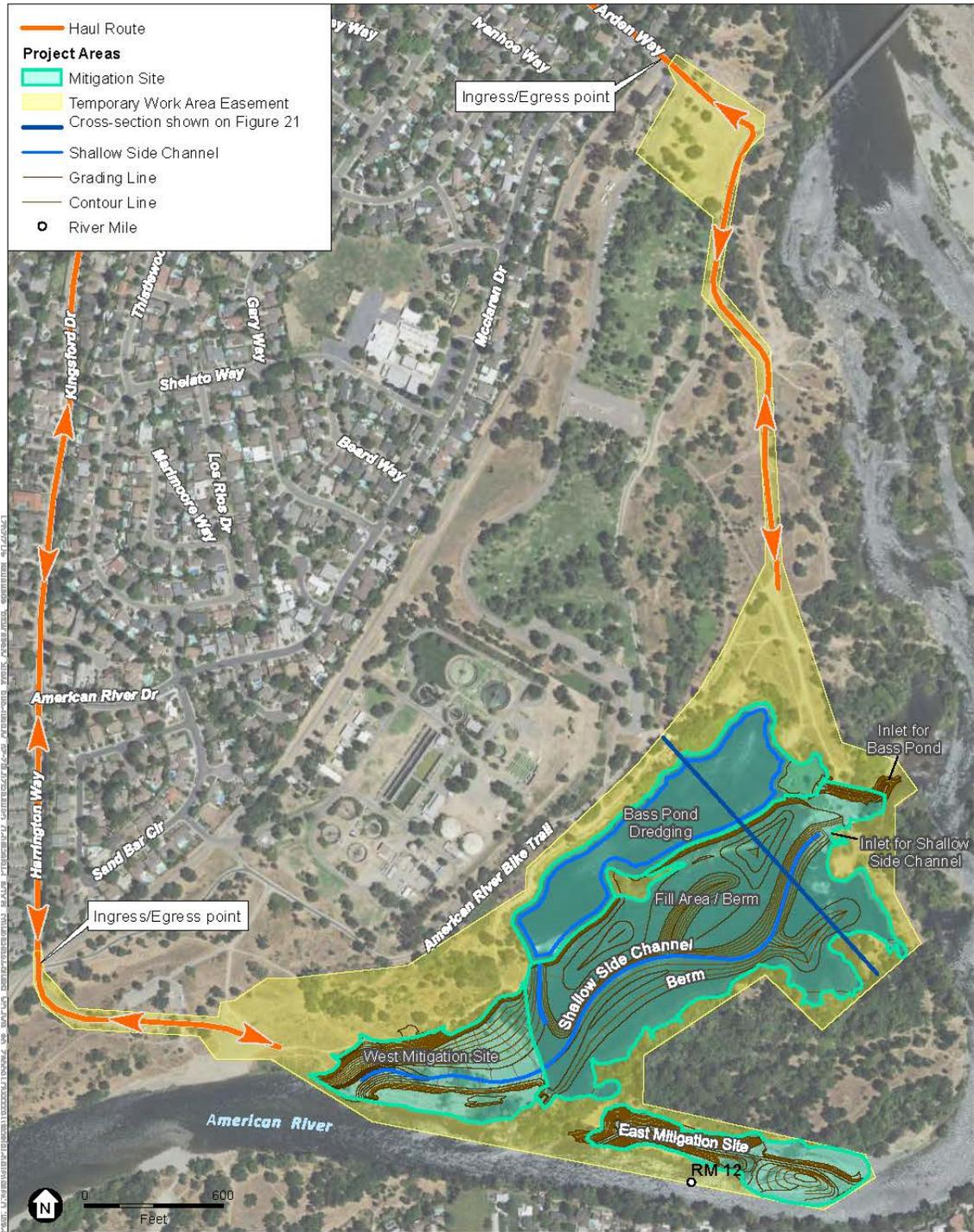
SOURCE: USDA, 2018; NHC, 2021; ESA 2021

ARCF 2016 American River Contract 2

Figure 2
 Sites 2-2 and 2-3 Work Areas



Figure 1- Project Site Map



SOURCE: USDA, 2018; NHC, 2021; HDR, 2021; ESA 2021

ARCF 2016 American River Contract 2

Figure 20
 Arden Pond Mitigation Site



Figure 2: Arden Pond Mitigation Site Map