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## Central Valley Regional Water Quality Control Board

29 August 2023

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

### **NOTICE OF APPLICABILITY FOR COVERAGE UNDER CLEAN WATER ACT SECTION 401 GENERAL WATER QUALITY CERTIFICATION OF THE AMERICAN RIVER WATERSHED COMMON FEATURES 2016 PROJECT, SACRAMENTO RIVER EROSION CONTRACT 4 PROJECT (WDID#5A34CR00819-008), SACRAMENTO COUNTY**

On 26 July 2023, the United States Army Corps of Engineers (Permittee) submitted a Notice of Intent (NOI) to enroll under and comply with Central Valley Regional Water Quality Control Board (Central Valley Water Board) Clean Water Act Section 401 Water Quality Certification of the American River Watershed Common Features 2016 Project Certification and Order (Order) (WDID#5A34CR00819).

The Central Valley Water Board has reviewed your enrollment materials and finds the ARCF 2016 Project, Sacramento River Erosion Contract 4 Project (Project) meets the requirements of and is hereby enrolled under the Order. You may proceed with your Project in accordance with the Order.

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

[https://www.waterboards.ca.gov/centralvalley/board\\_decisions/adopted\\_orders/401\\_wq\\_certs/5A34CR00819.pdf](https://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/401_wq_certs/5A34CR00819.pdf)

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

#### **PROJECT DESCRIPTION:**

The Project is located along a straight section between meanders at Chicory Bend in the Little Pocket Neighborhood along the Sacramento River's east levee in Sacramento. The project footprint includes the waterside bank, below the ordinary high-water mark (OHWM), the river for barge access, and one landside access route. The Project objectives are to prevent bank erosion and provide riverbank resistance to wave wash. Activities include levee improvements consisting of the installation of approximately 0.3

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MARK BRADFORD, CHAIR | PATRICK PULUPA, ESQ., EXECUTIVE OFFICER

miles of bank protection to stop erosion and scour damage. Additionally, designs include a launchable rock toe to provide resilience against river-bed scour.

### *Site Access and Staging Areas*

To the maximum extent practical, site access and construction will be done by barge. Where landside access is necessary, construction traffic will travel along highways, major streets, and the levee crown. Staging area opportunities are limited along of the Sacramento River east levee, due to adjacent urban development. The levee crown can be used by the Contractor for offices, portable toilet, vehicle parking, offloading, changing equipment, and maneuvering materials between the barge and their final location. The levee top staging area will be returned to pre-project conditions. Two barges will be used; one operational barge with an excavator, and one stockpile barge to hold the rocks, topsoil, biodegradable fabric, coir block, beaver fences and other construction materials. Tugs from the San Francisco Bay will stage at Rio Vista. From there, one tug will push each barge upriver to the work site.

### *Launchable Toe, Biotechnical Slope Protection, and Tiebacks*

A launchable rock berm will be placed on top of the lower bank quarry stone revetment. The revetment will be placed below elevation 7 feet and extend to the riverbed. It will have a minimum thickness of 5 feet. The launchable toe berm will be 5 feet wide and 2.8 feet thick. This will provide launching material for toe scour protection.

On the mid bank slope, soil-filled quarry stone will be placed between elevations 5 feet to 7 feet. This will consist of 30% soil fill and 70% quarry stone by volume. The minimum thickness will be 5 feet (perpendicular to the bank slope). The thickness will vary throughout the length of erosion protection treatment. To reduce the opportunity for the soil fill to wash away from the quarry stone, layers and sections of choke stone will be placed adjacent to the soil filled quarry stone. Choke stone will also be used at the transition from the biodegradable block and fabric system to the tiebacks to protect exposed soil fill from erosion.

On the upper bank slope, planting topsoil material will be placed between elevation 7-13 feet. The planting topsoil material will be protected in place by placement of a system of biodegradable coir fabric and coir blocks. The biodegradable coir blocks each with thickness of 16 inches and varying widths will be placed in a steplike geometry to create benches throughout the length of the erosion protection treatment. A total of 4 benches, starting from WSE 7 feet NAVD 88 moving higher toward top of the slope protection, will be constructed. The biodegradable coir blocks will be kept in place by placement of wooden stakes. The biodegradable coir fabric and coir block system will degrade over time, typically after 5 years, which is when the vegetation is expected to become self-sustaining.

Riprap will be placed on top of the Sacramento River Erosion Contract 1 revetment constructed in a previous construction contract. The downstream end of Sacramento River Erosion Contract 4 will grade into the existing ground at an 8:1 slope.

Soil and rock above the wetted channel will be moved from the barge to the bank with an excavator, once on land it will be placed by a bulldozer or an excavator. Rock below the wetted channel will be placed by an excavator that is parked either on the barge or on a finished rock platform built to elevation 7 feet (NAVD 88) and located adjacent to the active rock placement location. In stream woody material will be placed by an excavator on a barge and an excavator on the finished rock platform. The excavator on the rock platform will excavate rock previously placed to the design elevation of the instream wood materials. The excavator on the barge will hold a bundle of in-stream woody material and place it. Then the excavator on the rock platform will backfill the rock to cover the placed instream woody material. Placement of the soil bioengineering material will be performed by both hand labor and small construction equipment working from the rock platform.

**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 along a straight section of the Sacramento River east levee between meanders at Chicory Bend Park in the Little Pocket neighborhood in Sacramento.

**PROJECT SCHEDULE:**

November 2023 through October 2025

**COMPENSATORY MITIGATION**

The Project will permanently impact 3 acres of the bank slope below the OHWM. The permanent impacts result from the placement of bank protection in the form of rip rap and construction of planting benches. The 0.33 miles of bank protection will require approximately 44,662 cubic yards of material to be placed below the OHWM.

To mitigate for the permanent impacts to 3 acres, 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 Avoidance, Minimization, and Mitigation Measures described in Section 3 of the American River Common Features Project, Sacramento River Erosion Contract 4, July 2023, Supplemental Environmental Assessment XII for the Project, and the measures described in Section 4 of the Notice of Intent for the Project.

**WATER QUALITY MONITORING:**

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

If you have any questions regarding this Notice of Applicability, please contact Jenna Yang at (916) 464-4764 or [Jenna.Yang@waterboards.ca.gov](mailto:Jenna.Yang@waterboards.ca.gov).

*Original Signed by Anne Walters for:*

Patrick Pulupa  
Executive Officer

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

Attachments: Figure 1 – Project Location Map

cc: Distribution List, page 5

**Distribution List (email only)**

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Figure 1 – Project Location Map

