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To: Meegan Nagy, Deputy Manager, Sacramento River West Side Levee District

From: Andrea Shephard, Senior Project Manager, Ascent Environmental, Inc.

Subject: Categorical Exemption for the UCIP DS ID: 20416 Pipe Removal Project

1 PROJECT OVERVIEW AND PURPOSE

The Sacramento River West Side Levee District (SRWSLD) proposes to repair an existing levee facility, resulting in reconstruction of a section of levee and road to prior geometry and function. The proposed repair would remove an abandoned pipe penetration (Utility Crossing Inventory Program Desk Study ID, or UCIP DS ID: 20416) within the Sacramento River West Side Levee prism, along Wilson Bend Road in Colusa County. The UCIP DS ID: 20416 Pipe Removal Project (project) would require excavation of the levee section at the project site, followed by reconstruction of the levee after pipe removal. Project activities would involve closure of a portion of Wilson Bend Road in the project vicinity during construction, traffic detour routing, disturbance to a depth of approximately 15 feet below the levee crown, temporary stockpiling of excavated material in a staging area on the landside of the levee adjacent to the excavation area, disturbance to approximately 0.58 acres (including the construction staging and excavation areas), reconstruction of the levee section, asphalt road repair, guardrail replacement, and roadway re-striping.

The purpose of the project is to remove an abandoned 24-inch steel levee pipe penetration through the levee to limit the potential risk of levee damage/failure resulting from potential water penetration at the pipe location during a high-water event. Funding for this Deferred Maintenance Project (DMP) Rehabilitation is provided by the Department of Water Resources under the Budget Act of 2018 (Stats. 2018, Ch. 29, Item 3860-001-0001). DMP Rehabilitation is intended to address specific deferred maintenance issues for the State Plan of Flood Control (SPFC) that are recognized as high risks to levee integrity, one of which includes aging pipe penetrations.

1.1 PROJECT OBJECTIVES

Objectives of the proposed project include:

- ▶ Meeting the California Department of Water Resource's (DWR's) goals of eliminating sources of high risk to levee integrity,
- ▶ Addressing maintenance deficiencies identified by U.S. Army Corps of Engineers inspections,
- ▶ Avoiding adverse impacts to nearby sensitive receptors, and
- ▶ Avoiding adverse impacts to biological resources.

1.2 PROJECT LOCATION AND SETTING

The project site is located along the Sacramento River West Side Levee and Wilson Bend Road in Colusa County, approximately 4.25 miles southeast of Grimes, CA (see Figure 2-1). The project site includes portions of two parcels (Assessor Parcel Number [APN] 019-160-023-000 and 019-160-024-000) and a segment of Wilson Bend Road. The abandoned 24-inch steel pipe, associated well pump and piping, the levee road, and a power pole are within the 0.58-acre disturbance area of the project site (see Figure 2-2).

A large area of riparian woodland is located adjacent to the project site on the waterside of the levee. Several individual trees are also located in the project vicinity adjacent to Wilson Bend Road. The area west of the construction site includes a single-family home with agricultural lands, power poles, and mature trees. The levee embankment slopes are vegetated with mostly grasses. A paved two-lane county road, Wilson Bend Road, runs on top of the levee crown through the project site. SRWSLD maintains the levee while the County of Colusa maintains Wilson Bend Road.

1.3 PROJECT CHARACTERISTICS

Project Construction

Construction would require removal of approximately 0.03 acres of asphalt road section along Wilson Bend Road and the existing guard rail within the proposed 0.58-acre project footprint (See Figure 2-2). Any debris generated through construction activities would be off-hauled to a permitted disposal facility within 32 miles of the project site.

During construction, the affected section of Wilson Bend Road would be closed to traffic. Access to areas along Wilson Bend Road south of the project site would be maintained from State Route 45 via Fruchtenicht Road, and access to areas along Wilson Bend Road north of the project site, including to the residence directly adjacent to the project site, would be maintained from State Route 45. (See Figures 2-1 and 2-2.)

Following removal of the asphalt road section and guard rail, a section of levee approximately 52 feet long (north to south) and 100 feet wide (east to west) would be excavated from the crown surface to a depth of approximately 15 feet while maintaining side slopes no steeper than 1.5-foot horizontal to 1-foot vertical to expose the pipe penetration (See Figure 2-3). Levee material generated during the excavation would be temporarily stored in the landside staging area and then used to backfill the excavation area following removal of the pipe penetration. The exposed pipe section would be cut, removed, and off-hauled for disposal at a permitted facility within 32 miles of the project site. Any remaining pipe section on the waterside and landside of the levee would be plugged with four feet of concrete and abandoned in place. The existing pump and valve equipment beyond 15 feet of the landside levee toe would not be removed.

Additional levee fill material, up to 30 cubic yards, would be imported from up to 25 miles away to supplement backfill and reconstruction of the levee section. All levee fill material would be placed and compacted in accordance with levee construction standards in Title 23 of the California Code of Regulations (CCR). Reconstruction of the levee would restore the levee geometry and function to pre-project conditions. The road section would also be repaved with asphalt to match the existing pavement thickness and lane striping would be restored. Additionally, any affected guard rail along Wilson Bend Road would be reinstalled.

During construction, it is anticipated that one water truck, with water supplied by the SRWSLD, would be used for dust suppression and fill compaction. Staging areas would be located along the waterside levee toe to the east and the landside levee toe on the adjacent property to the west. Standard construction best management practices, including runoff and erosion control would be employed to avoid stormwater-related impacts during construction. Construction would occur between the hours of 7 a.m. to 5 p.m., Monday through Friday with an anticipated

construction start in August 2021. Construction would be completed within a two-week period and would require the use of a haul truck, skiploader, excavator, asphalt paver, and water truck. Construction crews would consist of three laborers during demolition and levee reconstruction and five laborers during roadway repaving.

Environmental Protection Measures

The proposed project would implement several environmental protection measures to avoid the potential for impacts to special-status plant and wildlife species, and previously unknown cultural resources that may have potential to occur in the study area. These measures are described below.

Environmentally Sensitive Areas (ESAs)

Prior to the start of construction, a qualified biologist will clearly delineate the riparian habitat immediately adjacent to the east boundary of the east staging area/temporary disturbance area as an environmentally sensitive area. The ESA will be fenced with high-visibility construction fencing or flagging that clearly delineates the riparian habitat boundary. Fencing or flagging will be identified and depicted on the project plans and will remain in place throughout the duration of the project, while construction activities are ongoing, and will prevent construction equipment/personnel from entering the riparian habitat.

Special-status Plant Species

Because the project site consists mostly of constructed features, i.e., levee and road, rare plants are not expected to be present. Nonetheless, because habitat may be suitable for Parry's rough tarplant and woolly rose mallow, a rare plant survey using the CDFW recommended methods in *Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Sensitive Natural Communities* (CDFW 2018) will be conducted in the project site during the appropriate blooming period for these two species. The survey may be conducted between June and September to encompass all the blooming periods. However, depending on the weather conditions during the survey year and the blooming status of these survey species in the region during the survey year, additional surveys may be required to confirm absence.

- ▶ If special-status plants are not observed in the study area, no additional measures will be required.
- ▶ If special-status plant species are found, they will be avoided during construction.

If special-status plant species cannot be avoided, SRWSLD will consult with CDFW to determine the appropriate measures to address direct and indirect impacts that could occur as a result of project construction. SRWSLD will implement the agreed-upon measures to achieve no-net loss of occupied habitat or individuals. If construction activity has the potential to result in significant effects to special-status plants, this would constitute an exception to a categorical exemption and environmental review will be required under CEQA prior to initiation of construction.

Swainson's Hawk, White-tailed Kite, Bald Eagle, and Other Nesting Raptors

- ▶ Avoidance of adverse impacts related to the potential for nesting raptors will be achieved through pre-construction surveys and, if needed, implementation of avoidance measures.
- ▶ For project activities that begin between February 1 and September 15, a qualified biologist will conduct preconstruction surveys for Swainson's hawk, white-tailed kite, and other nesting raptors to identify active nests on and within 0.25 mile of the project footprint for Swainson's hawk and on or within 500 feet of the project footprint for other raptors. The survey for Swainson's hawks will be conducted before the beginning of any construction activities between March 1 and September 15. Surveys outside of the project area will be conducted from publicly accessible areas such as roadways.

- ▶ If active nests are found, a qualified biologist will establish appropriate no-disturbance buffers around the active nest sites identified during preconstruction raptor surveys until the nest is no longer active to protect active nests from project-related disturbances that could lead to nest abandonment or disruption of normal nesting activities. No project activity will commence within the buffer areas until a qualified biologist has determined the young have fledged, the nest is no longer active, or reducing the buffer would not likely result in nest abandonment. CDFW guidelines recommend implementation of 0.25-mile buffer for Swainson's hawk and 500-feet for other raptors, but the size of the buffer may be adjusted if a qualified biologist, in consultation with CDFW, determine that such an adjustment would not be likely to adversely affect the nest.

If construction activity has the potential to adversely affect a nesting raptor, monitoring of the nest by a qualified biologist during and after construction activities will be required. If potentially significant effects may occur, this would constitute an exception to a categorical exemption and environmental review under CEQA would be required prior to the initiation of any construction activities.

Valley Elderberry Longhorn Beetle

- ▶ Avoidance of adverse impacts related to the potential for disturbance of valley elderberry longhorn beetle will be achieved through pre-construction surveys and, if needed, implementation of avoidance measures.
- ▶ The elderberry shrub located approximately 65 feet north of the project site will be avoided and fenced or flagged as close to construction limits as feasible.
- ▶ A qualified biologist will provide training for all contractors, work crews, and any onsite personnel on the status of valley elderberry longhorn beetle, its host plant and habitat, the need to avoid damaging the elderberry shrubs, and the possible penalties for noncompliance.
- ▶ All activities that could occur within 50 meters (165 feet) of an elderberry shrub, will be conducted outside of the flight season of valley elderberry longhorn beetle (March - July).

Previously Undiscovered Cultural Resources

Because the project site consists mostly of constructed features, i.e., levee and road, cultural resources disturbance is not expected. Nonetheless, because it cannot be assured that subsurface cultural resources are absent, measures to avoid any potential significant impact will be implemented. If a resource is unexpectedly discovered during Project activities, work will be halted within 30 feet of the find and a qualified archaeologist (36 CFR Part 61) notified immediately so that it can be assessed. Construction activities may continue in other areas, but may not resume in the area of the find until SRWSLD provides written permission.

If the discovery proves to be significant, this would constitute an exception to the categorical exemption and environmental review will be adapted accordingly. In this event, additional work, such as data recovery excavation, may be warranted and would be discussed in consultation with the County, affiliated tribal organizations, and any other relevant regulatory agencies or invested parties, as appropriate.

Previously Undiscovered Human Remains

Because the project site consists mostly of constructed features, i.e., levee and road, encountering human remains is not expected. Although unlikely, the potential for discovery of human remains cannot be fully dismissed. If disturbance of human remains were to occur, this would constitute an exception to the categorical exemption and environmental review will be adapted accordingly. State of California Health and Safety Code Section 7050.5 covers these discoveries, except on federal lands. This code section states that no further disturbance may occur until the Colusa County Coroner has made a determination of origin and disposition of the remains pursuant to PRC Section 5097.98. The County Coroner will be notified of the find immediately upon discovery. If the human remains are determined to be of Native American origin, the Coroner will notify the NAHC, which will determine and notify a Most Likely Descendent (MLD). The MLD must complete an inspection of the site within 48 hours of notification and

may recommend scientific removal and nondestructive analysis of human remains and items associated with Native American burials.

1.4 PROJECT OPERATION

Following completion of the proposed project and reconstruction of affected portions of the levee and Wilson Bend Road, levee and roadway operations and maintenance activities would be the same as existing conditions.

1.5 REQUIRED PERMITS AND APPROVALS

As the lead agency, SRWSLD has the principal responsibility for approving and carrying out the proposed project and for complying with the requirements of CEQA, the State CEQA Guidelines, and all other applicable regulations.

The following agencies may also have permitting approval or review authority over portions of the proposed project:

- ▶ Colusa County: Encroachment Permit for work within the County Road Right of Way.
- ▶ Central Valley Flood Protection Board: Encroachment Permit for work that involves cutting into a levee within the State Plan of Flood Control and within 300 feet of a Designated Floodway.
- ▶ California Department of Fish and Wildlife: Lake and Streambed Alteration Agreement for activities that may affect the bed, channel, or bank of the Sacramento River.

1.6 CATEGORICAL EXEMPTION FROM CEQA

SRWSLD has determined that the project, as proposed, would not have a significant effect on the environment and would qualify as categorically exempt from the provisions of CEQA under the Class 1–Existing Facilities, Class 2–Replacement or Reconstruction, and Class 4–Minor Alterations to Land categorical exemptions as set forth in CEQA Guidelines Sections 15301, 15302, and 15304, respectively. There are six exceptions to categorical exemptions, which are defined in State CEQA Guidelines Section 15300.2.

The rationale that follows supports the conclusion that no exceptions to CEQA Guidelines Section 15300.2 would apply to the proposed project. The information discussed is based on the analyses presented in Attachment A: UCIP DS ID: 20416 Pipe Removal Project Biological Resources Technical Memorandum, and Attachment B: Cultural Resources Assessment for the UCIP DS ID: 20416 Pipe Removal Project, Sacramento River West Side Levee District, Colusa County, California.

The 0.58-acre project site is roughly 50 feet in elevation and is mainly composed of paved roadway (Wilson Bend Road), and ruderal vegetation and annual grassland on the levee slopes (see Attachment A, Figure 2). Valley foothill riparian habitat occurs immediately east of the project site on the waterside of the levee and deciduous orchard habitat occurs north of the project site on the landside and waterside of the levee. A private residence with ornamental and orchard trees and lawn grass surrounded by irrigated row and field crops occurs west of the project site on the landside of the levee. The proposed project would avoid the riparian habitat, including an elderberry shrub that occurs adjacent to the project site. Because the project would avoid the riparian habitat and adhere to appropriate construction work windows and other environmental protection measures incorporated into the project design, the project would have no direct, indirect, or cumulative impacts to special-status plant and wildlife species that have the potential to occur in the project area.

One cultural resource was identified in the project site: the 350-foot segment of the Sacramento River West Side Levee which carries Wilson Bend Road along its crown (see Attachment B). The levee segment has been evaluated for its potential to be an historical resource and has been recommended eligible for listing in the California Register

of Historical Resources (CRHR). However, because the levee section would be reconstructed after removal of the pipe penetration to reflect the same the levee geometry and the function as before construction, the levee segment would remain consistent with its dual historical uses as a levee and two-lane roadway, the proposed project would not have a significant effect on this historical resource. Furthermore, no other cultural resources were identified in the project site and environmental protection measures incorporated into the project design would ensure there are no direct, indirect, or cumulative impacts to previously undiscovered cultural resources, human remains, or paleontological resources that may occur in the project area.

Finally, there are no scenic highways or hazardous waste sites in the project area that could be affected by the proposed project.



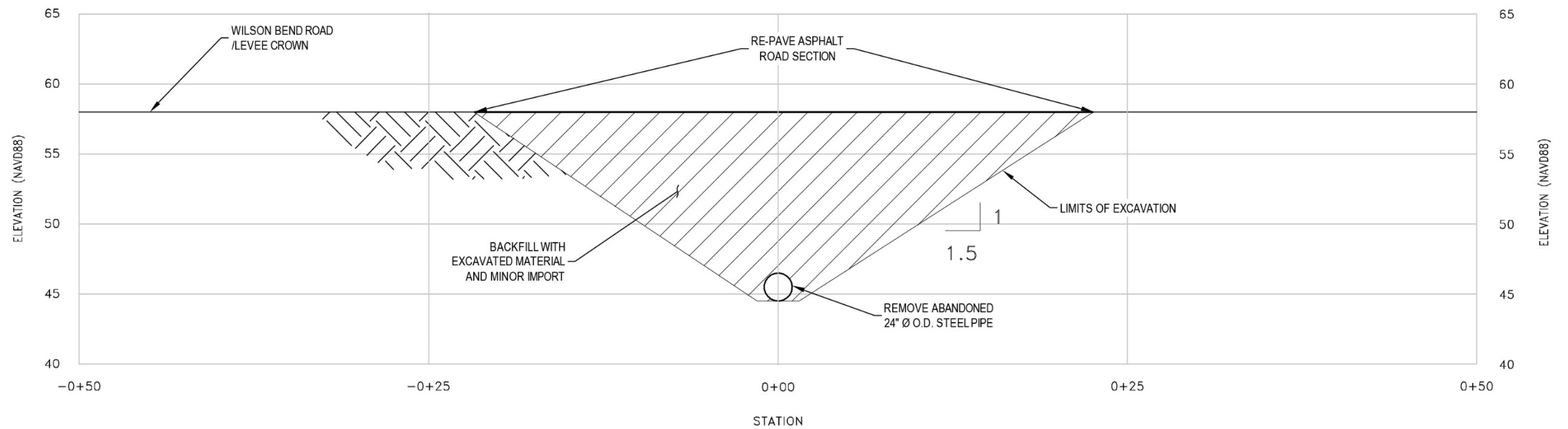
Source: KSN 2020

Figure 2-1 Project Location



Source: KSN 2020

Figure 2-2 Project Site Plan



1 SECTION A-A: EXCAVATION DETAIL

19010103.01 GRX 003

Source: KSN 2020

Figure 2-3 Excavation Profile

