



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION IX
75 Hawthorne Street
San Francisco, CA 94105

December 22, 2005

U.S. Army Corps of Engineers
Sacramento District
Attn: Mr. Robert Koenigs
1325 J Street
Sacramento, California 95814-2922

Subject: Draft Environmental Impact Statement (DEIS) for the American River Watershed,
Mayhew Levee (CEQ# 50484)

Dear Mr. Koenigs:

The Environmental Protection Agency (EPA) has reviewed the DEIS referenced above. Our review is pursuant to the National Environmental Policy Act (NEPA), Council on Environmental Quality (CEQ) regulations (40 CFR Parts 1500-1508), and Section 309 of the Clean Air Act. Our detailed comments are enclosed.

The U.S. Army Corps of Engineers (Corps) has not selected a preferred alternative. EPA's policy allows for a separate rating for each alternative when a DEIS does not identify a preferred alternative. The document analyzes five action alternatives. Alternatives 2 and 3 analyze a standard Corps levee with a screened floodwall. Alternatives 4 and 5 analyze a non-standard levee with a screen floodwall. Alternative 6 analyzes a standard Corps levee without a floodwall. Nonstandard levees incorporate Corps engineering standards for levee construction, except they include a steeper waterside slope. To offset erosion risks, these levees incorporate additional design standards.

Based on our review, we have rated the Alternatives 2, 3, and 6 as Environmental Concerns - Insufficient Information (EC-2) and Alternatives 4 and 5 as Lack of Objections (LO) (see enclosed "Summary of Rating Definitions"). EPA recognizes the importance of protecting Sacramento County from flooding hazards. We recommend the selection of Alternative 4 as the proposed alternative as it will result in fewer impacts to riparian oak woodland and the American River Parkway. In addition, we recommend additional information on the cumulative impacts to water and air quality in the area as a result of the proposed project in combination with the proposed high-density development and the features associated with the Water Resources Development Act of 1996.

We appreciate the opportunity to review this DEIS. When the FEIS is released for public review, please send (3) copies to the address above (mailcode: CED-2). If you have any questions, please contact me at 415-972-3988 or Summer Allen, the lead reviewer for this project. Summer can be reached at 415-972-3847.

Sincerely,

/S/

Duane James, Manager
Environmental Review Office

Main ID # 4602

Enclosures: Summary of Rating Definitions

Alternatives Analysis

The levee construction evaluated in Alternative 6 would convert more acres of the American River Parkway to levee and maintenance roads and require additional impacts to oak woodland habitat (a sensitive natural community) when compared to other alternatives. Likewise, Alternatives 2 and 3, with their reduced waterside slope, would have greater impacts to riparian vegetation than Alternatives 4 and 5.

Recommendations:

EPA recommends the selection of Alternative 4 or 5 to avoid additional impacts to oak woodland habitat and associated species such as the valley elderberry longhorn beetle, a Federally-threatened species. If a different alternative is selected, the FEIS should document the reasons that a more environmentally-preferable alternative is not feasible.

Cumulative Impacts

Air Quality

Sacramento County is an area of severe nonattainment for the Federal ozone standard and moderate nonattainment for particulate matter less than 10 microns in diameter (PM-10) and particulate matter less than 2.5 microns in diameter (PM-2.5). The project, as proposed, will cause emissions of nitrogen oxides (NOx) that exceed the Sacramento Metropolitan Air Quality Management District (SMAQMD) thresholds. Even after appropriate mitigation measures have been adopted, NOx emission will still be potentially significant and will require emissions offsets. We are concerned that the construction phase of this project, in combination with other projects in the area, such as construction of the planned 14.74-acre high-density development along Folsom Boulevard, the Folsom Bridge Project, and the Folsom Dam Mini Raise, may contribute to cumulative air impacts.

Recommendations:

EPA supports coordination with the SMAQMD regarding appropriate regulations that would relate to construction equipment and particulate matter generation. The FEIS should include information on the cumulative air quality impacts based on the timing of the construction phases for the projects mentioned above, including the planned development along Folsom Boulevard.

Water Quality

The lower American River is on the State of California's list of impaired water bodies for mercury, pesticides, and unknown toxicity. The groundwater aquifer in the area contains water of poor quality (p. 3-34). Other projects planned for the area, such as the high-density development, the Folsom Bridge project or mini raise, or future projects under the 1996 Water Resources Development Act (WRDA) may have cumulative impacts to the area's water resources.

Recommendations:

We recognize that the project proposal includes mitigation measures that will help alleviate impacts to surface and groundwater as a result of the project. However, the FEIS should include support for the assumption that this project, in combination with other projects in the area or planned for the area, will not have cumulative impacts to the groundwater and surface water in the area and should include monitoring plans for these impacts.