**DRAFT MITIGATED PD****IMFINDING OF NO SIGNIFICANT IMPACT**

**MARYSVILLE RING LEVEE PROJECT**

**PHASES 2B AND 3**

**YUBA COUNTY, CALIFORNIA**

The U.S. Army Corps of Engineers (USACE), Sacramento District, has conducted an environmental analysis in accordance with the National Environmental Policy Act (NEPA) of 1969, as amended. This Supplemental Environmental Assessment (SEA) is tiered to the 2010 Marysville Ring Levee (MRL) Project Environmental Assessment/Initial Study (EA/IS). This SEA focuses on the effects of refinements to the design and construction of sub-phase Phase 2B and Phase 3 (Proposed Action) of the Yuba River Basin, California Project’s separable element, the Marysville Ring Levee/Reach 1 (Linda/Olivehurst) Project (Project).

The Proposed Action as described in the SEA, incorporated herein by reference, includes the following additional requirements: (1) open trench and deep mix method (DMM) construction, (2) the establishment of additional levee service (O&M) roads along the landside and waterside toe where feasible, (3) additional acreage for staging areas in Phase 2B, (4) hours of operation would include night work (8:00 p.m. to 5:00 a.m.), and (5) further sub-division of the project’s original Phase 2 into its final phase, Phase 2B. The possible consequences of the work described in this SEA have been studied with consideration given to environmental, cultural, social, and engineering feasibility. The SEA has been jointly coordinated with the State of California, acting by and through the Central Valley Flood Protection Board (CVFPB) with preparation of an Initial Study (IS) in compliance with the California Environmental Quality Act (CEQA). The views of other interested agencies, organizations, tribes, and individuals have also been considered. U.S. Fish and Wildlife Service consultation and State Historic Preservation Officer consultation has occurred.

In evaluating the effects of the proposed Project, specific attention has been given to any environmental, cultural, and social conditions that could potentially be affected. All construction would be implemented in compliance with applicable Federal, State, and local laws, regulations and executive orders. Best Management Practices, avoidance protocols, and other minimization and mitigation measures would be implemented as identified in the SEA, incorporated herein by reference.

Pursuant to Section 7 of the Endangered Species Act of 1973, as amended, the U.S. Fish and Wildlife Service (USFWS) issued a Biological Opinion dated XY, 2019, that determined XYZ. All terms and conditions, conservation measures, as well as any reasonable and prudent alternatives and measures resulting from this consultation would be implemented.

Based upon my review of the SEA, which is incorporated herein by reference, I have determined that the Proposed Action would have no significant direct, indirect, or cumulative effects on environmental, social, or cultural resources. Based on these considerations, it is my determination that the Proposed Action does not constitute a major Federal action that would significantly affect the human environment. Therefore, preparation of an Environmental Impact Statement is not required.

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Date David G. Ray, P.E.

Colonel, U.S. Army

District Commander