



DEPARTMENT OF THE ARMY
SAN FRANCISCO DISTRICT, U.S. ARMY CORPS OF ENGINEERS
450 GOLDEN GATE AVENUE
SAN FRANCISCO, CALIFORNIA 94102-3404

Operations and Readiness Division

PUBLIC NOTICE

**REQUEST FOR PERMISSION TO ALTER A U.S. ARMY CORPS OF ENGINEERS
PROJECT UNDER SECTION 408**

TITLE: Pajaro River – Cal Giant Irrigation Pipeline, 408-SPN-2023-0005

Public notice comment period:
Begins: February 21, 2024
Ends: March 22, 2024

REQUESTER: In compliance with U.S.C. Title 33, Chapter 9, Subchapter 1, Section 408, Monterey County Water Resources Agency (requester) has requested permission through the Pajaro Regional Flood Management Agency (non-federal sponsor of the federally authorized project) from the U.S. Army Corps of Engineers (USACE) to alter the Pajaro River Project, an existing federal flood risk management project, authorized by the Flood Control Act of 1917.

LOCATION: The proposed project occurs along the left bank levee of the Pajaro River, in Pajaro, Monterey County, California.

REQUESTER'S PROPOSED ACTION: The proposed project includes repair and reconnection of a failed irrigation line which was damaged when flooding from the January 2023 storms caused erosion of the existing Pajaro River levee. The project includes connecting the 8" HDPE irrigation line at two places and installing a 45 degree bend to run the irrigation line approximately 30' south of the levee.

ENVIRONMENTAL IMPACTS OF PROPOSED ACTION: The project is located along the left bank of the Pajaro River, in Monterey County, California. The Pajaro River borders Santa Cruz and Monterey Counties with the river being the boundary/border between the two jurisdictions. The Pajaro River basin drains an area of approximately 1,300 square miles extending into the southern part of Santa Clara and Santa Cruz Counties, the northern portion of San Benito County and a small portion of northern Monterey County.

USACE determined there is no suitable habitat for federally listed species under the jurisdiction of the U.S. Fish and Wildlife Service (USFWS) or the National Marine Fisheries Service (NMFS) in the vicinity of the project. Therefore, USACE determined there would be no effects to federally listed species, designated critical habitat, or essential fish habitat under the jurisdiction of the USFWS and/or NMFS.

After an initial review, USACE has determined no eligible or potentially eligible cultural resources may be affected by the proposed project. USACE will initiate consultation with the State Historic Preservation Officer and Native American Tribes under Section 106 of the National Historic Preservation Act, as appropriate.

Upon review of the Section 408 application and other supporting documentation, USACE has made a preliminary determination that the project neither qualifies for a Categorical Exclusion nor requires the preparation of an Environmental Impact Statement for the purposes of NEPA.

AUTHORITY: The authority to grant permission for temporary or permanent use, occupation, or alteration of any USACE civil works project is contained in Section 14 of the Rivers and Harbors Act of 1899, as amended (33 U.S.C 408) ("Section 408"). Section 408 authorizes the Secretary of the Army, on the recommendation of the Chief of Engineers, to grant permission for the alteration or occupation or use of a USACE project if the Secretary determines that the activity will not be injurious to the public interest and will not impair the usefulness of the project. The Secretary of Army's authority under Section 408 has been delegated to the USACE, Chief of Engineers. The USACE Chief of Engineers has further delegated the authority to the USACE, Directorate of Civil Works and Division and District Engineers, depending upon the nature of the activity.

LIMITS OF SECTION 408 AUTHORITY: A requester has the responsibility to acquire all other permissions or authorizations required by federal, state, and local laws or regulations, including any required permits from the USACE Regulatory Program under Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. 403), Section 404 of the Clean Water Act (33 U.S.C. Section 1344), and/or Section 103 of the Marine Protection, Research and Sanctuaries Act of 1972 (33 U.S.C. 1413). In addition, an approval under Section 408 does not grant any property rights or exclusive privileges nor does it authorize any injury to the property or rights of others.

EVALUATION FACTORS: The decision whether to grant the requested permission for project alteration under Section 408 will be based on several factors. That decision will reflect the national concern for both protection and utilization of important resources. The benefit which reasonably may be expected to accrue from the proposal must be balanced against its reasonably foreseeable detriments. Review of requests for alteration will be reviewed by a USACE technical review team considering the following factors:

- 1) Impair the Usefulness of the Project Determination. The review team will determine if the proposed alteration would limit the ability of the USACE project to function as authorized, or would compromise or change any authorized project conditions, purposes or outputs. In order for an alteration to be approved, the requester must

demonstrate that the alteration does not impair the usefulness of the federally authorized project.

2) Injurious to the Public Interest Determination. Proposed alterations will be reviewed to determine the probable impacts, including cumulative impacts, on the public interest. Factors that may be relevant to the public interest evaluation depend upon the type of USACE project being altered and the nature of the proposed alteration and may include, but are not limited to, such things as conservation, economic development, historic properties, cultural resources, environmental impacts, water supply, water quality, flood hazards, floodplains, residual risk, induced damages, navigation, shore erosion or accretion, and recreation. This evaluation will consider information received from the interested parties, including tribes, agencies, and the public. The benefits that reasonably may be expected to accrue from the proposal must be compared against its reasonably foreseeable detriments. The decision whether to approve an alteration will be determined by the consideration of whether benefits are commensurate with risks and by the net impact of the alteration on the public interest using the public interest factors.

3) Environmental Compliance. A decision on a Section 408 request is a federal action, and therefore subject to the National Environmental Policy Act (NEPA) and other environmental compliance requirements. While USACE is responsible for ensuring environmental compliance, the requester is responsible for providing all information that the San Francisco District identifies as necessary to satisfy all applicable federal laws, executive orders, regulations, policies, and procedures. NEPA and other analysis completed to comply with other environmental statutes (e.g. Endangered Species Act) should be commensurate with the scale and potential effects of the activity that would alter the USACE project. The San Francisco District will work with the requester to determine the requirements, which will be scaled to the likely impacts of the proposed alteration and should convey the relevant considerations and impacts in a concise and effective manner. The final NEPA analysis will normally address the direct, indirect, and cumulative impacts that result from activities resulting in the temporary or permanent use, occupation, or alteration of any USACE civil works project. The final NEPA analysis will be incorporated in the decision documentation that provides the rationale for issuing or denying a Section 408 permission for the project. The final NEPA analysis and supporting documentation will be on file with the San Francisco District, Operations and Readiness Division.

PUBLIC INVOLVEMENT: The purpose of this notice is to solicit comments from the public; federal, state, and local agencies and officials; tribes; and other interested parties regarding the Pajaro River – Cal Giant Irrigation Pipeline, a proposed alteration to an existing federally authorized project. Comments received within 30 days of publication of this notice will be used in the evaluation of potential impacts of the proposed action on important resources and in the evaluation of whether the proposed alteration would be injurious to the public interest and/or would impair the usefulness of the authorized project. Only the specific activities that have the potential to occupy, use or alter the Pajaro River Project will be evaluated. Please limit comments to the area of the alteration and those

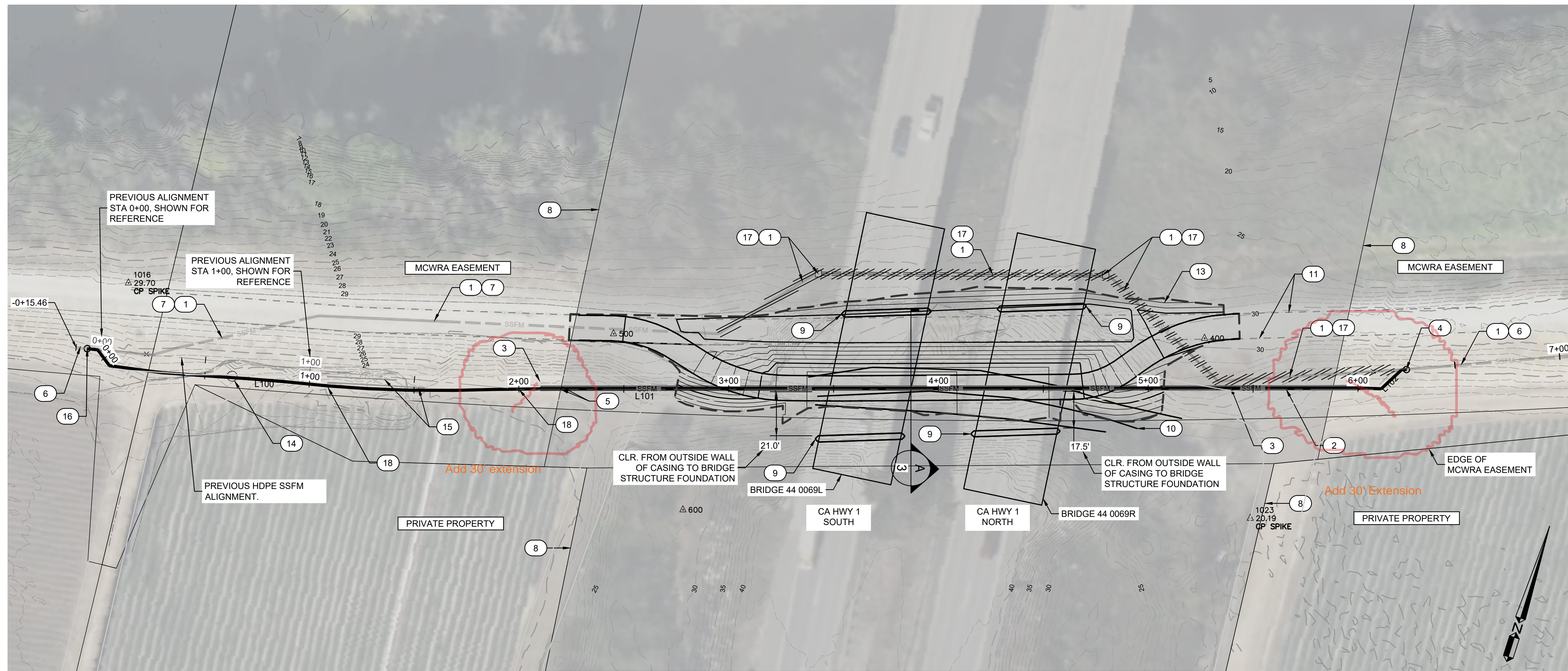
adjacent areas that would be directly or indirectly affected by the alteration to the Pajaro River Project. Please note that all comment letters received are subject to release to the public through the Freedom of Information Act.

SUBMITTING COMMENTS: Written comments, referencing 408-SPN-2023-0005 must be submitted to the office listed below on or before March 22, 2024.

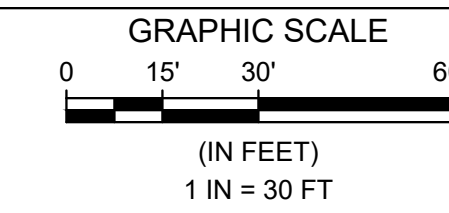
Jessica Vargas
Section 408 Coordinator
U.S. Army Corps of Engineers, San Francisco District
Operations and Readiness Division
450 Golden Gate Avenue, 4th Floor, Room 1111
San Francisco, California 94102-3404

Email: *spn.operationsdivision@usace.army.mil*

ATTACHMENTS: vicinity map, location map, and proposed project footprint in relation to federal project.



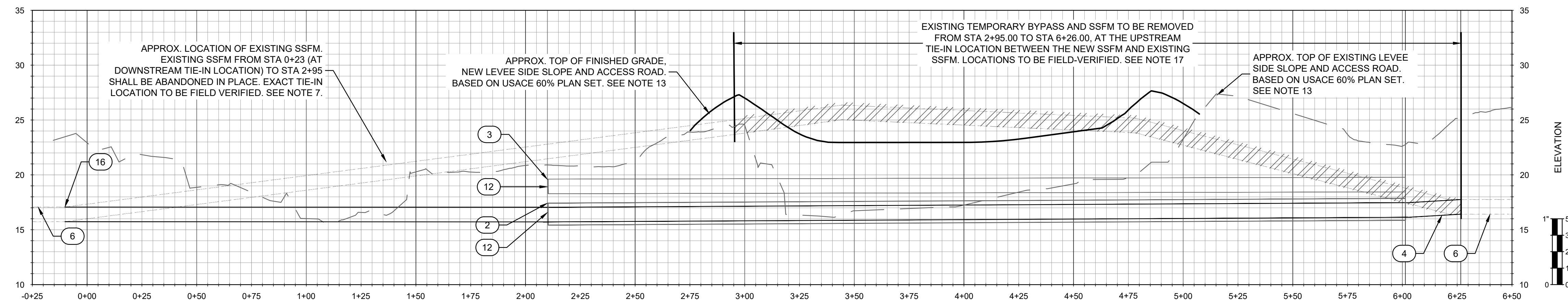
PLAN - PROPOSED SSFM AND CASING



CASING HORIZONTAL CONTROL TABLE		
CASING	STATION	COORDINATES
24"	2+10	N: 2216377.35, E: 5750798.14
24"	6+00	N: 2216488.55, E: 5751148.95
16"	2+10	N: 2216373.62, E: 5750798.51
16"	6+00	N: 2216484.82, E: 5751149.32

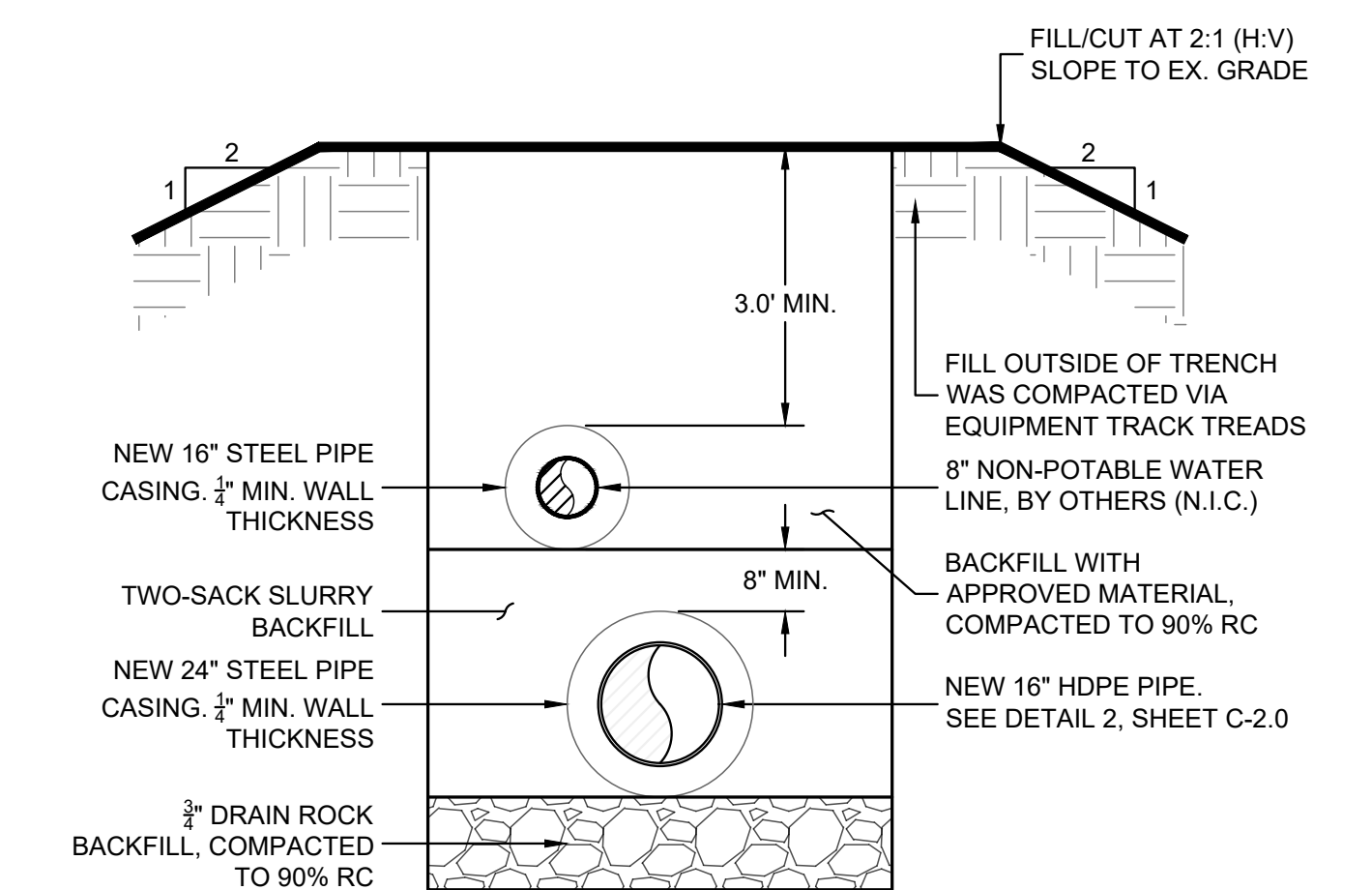
LINE TABLE		
LINE #	LENGTH (FT)	DIRECTION
L100	177	N77°45'16"E
L101	408	N72°24'45"E
L102	13	N27°37'56"E

- REFERENCE NOTES:**
- APPROXIMATE ALIGNMENT OF EXISTING 16" HDPE SSFM.
 - 600 LF NEW 16" DR 17 HDPE SSFM WITH 390 LF OF 24" STD STEEL PIPE CASING. EXTEND CASING 10' PAST CALTRANS ROW (EAST AND WEST). MAINTAIN POSITIVE SLOPE IN EASTERLY DIRECTION TO PREVENT CREATION OF AIR POCKETS IN SSFM. VERIFY UPSTREAM AND DOWNSTREAM INVERT ELEV. PRIOR TO INSTALLATION. ALL FUSION WELDING TO COMPLY WITH ASTM F714.
 - NEW 390 LF OF 16" STD STEEL PIPE CASING FOR FUTURE 8" NON-POTABLE WATER LINE. INSTALL IN SAME TRENCH AS SSFM. NORTH OF THE SSFM. FUTURE NON-POTABLE WATER LINE BY OTHERS (N.I.C.). EXTEND CASING 10' PAST CALTRANS ROW (EAST AND WEST). EXTEND PULL TAPE AND MARKER PIPE TO SURFACE FOR EASE OF LOCATING IN THE FUTURE.
 - FIELD VERIFY LOCATION OF EXISTING ACP 16" SSFM. TIE NEW 16" HDPE SSFM TO EXISTING ACP SSFM PER DETAIL 3, SHEET C-2.0
 - SEE HORIZONTAL CONTROL TABLE FOR CASING COORDINATES AT CALTRANS RIGHT-OF-WAY (ROW)
 - EXISTING 16" ACP SSFM TO REMAIN.
 - REMOVE ALL LIQUIDS FROM SSFM PIPELINE. FLUSH PIPELINE CLEAN AND PROPERLY MANAGE/DISPOSE OF ALL SEWAGE AND LIQUIDS. FILL PIPE WITH CONCRETE SLURRY. CAP UPSTREAM AND DOWNSTREAM ENDS OF REMAINING PIPE AND ABANDON IN PLACE.
 - EXISTING CALTRANS ROW
 - EXISTING HIGHWAY BRIDGE STRUCTURE FOUNDATION. NEW SSFM AND CASINGS SHALL BE SPACED HORIZONTALLY 15' MIN. FROM STRUCTURE FOUNDATION.
 - APPROXIMATE LOCATION, TOE OF NEW CALTRANS ABUTMENT SLOPE.
 - APPROXIMATE ALIGNMENT OF LEVEE CROWN/TOP OF LEVEE
 - OVER-EXCAVATE A MINIMUM OF 3 FEET BELOW CASING INVERT. BACKFILL AROUND CASING WITH NATIVE SOILS FREE OF DEBRIS, ORGANIC MATERIAL, AND ROCKS LARGER THAN 3" DIAMETER. RE-COMPACT TO 95% RELATIVE COMPACTION TO 3 FT ABOVE TOP OF NON-POTABLE WATER MAIN CASING OR SEWER MAIN, WHICHEVER IS GREATER.
 - ALL FUTURE GRADING SHOWN IS N.I.C. UNLESS NOTED. THIS WORK TO BE COMPLETED BY THE US ARMY CORP OF ENGINEERS (USACE). REFER TO ATTACHED USACE PLAN SET (PROJECT PL 84-99, PAJARO RIVER LEFT BANK) SHEETS C-102, C-303, C-304, AND C-502 FOR GRADING PLAN
 - EXISTING ABANDONED-IN-PLACE SANITARY SEWER MANHOLE (SSMH). REMOVE AND DISPOSE OF ENTIRELY IF IN CONFLICT WITH NEW SEWER FORCE MAIN. IF REMOVED, LEVEE SHALL BE RESTORED TO EXISTING GRADE WITH APPROVED BACKFILL. SEE SHEET G-2.0
 - APPROX. LOCATIONS OF EXISTING 12" DIP AND 12" ACP SECTIONS. ABANDON EXIST. UTILITY IN PLACE UNLESS OTHERWISE SHOWN TO BE REMOVED AND AS REQ'D FOR NEW UTILITY CONSTRUCTION. REMOVE ALL PORTIONS OF EXISTING PIPES THAT INTERFERE WITH PATH OF NEW SSFM AND CASING. ACP REMOVED MUST BE HANDLED FOLLOWING APPROPRIATE SAFETY AND DISPOSAL PROTOCOLS (SEE SHEET G-2.0). WHERE PIPES ARE REMOVED, RESTORE LEVEE TO ORIGINAL GRADE WITH APPROVED LEVEE BACKFILL MATERIAL AS SPECIFIED IN SHEET G-2.0. FILL REMAINING PIPE WITH CONCRETE SLURRY AND CAP UPSTREAM AND DOWNSTREAM ENDS OF REMAINING PIPE.
 - FIELD VERIFY LOCATION OF EXISTING ACP 16" SSFM. TIE NEW 16" HDPE SSFM TO EXISTING ACP SSFM PER DETAIL 3, SHEET C-2.0
 - REMOVE ALL LIQUIDS FROM EXISTING SSFM PIPELINE AND TEMPORARY BYPASS. FLUSH PIPELINE CLEAN AND PROPERLY MANAGE/DISPOSE OF ALL SEWAGE AND LIQUIDS. DEMOLISH/REMOVE EXISTING CONCRETE JUNCTION BOXES, TEMPORARY HDPE BYPASS, AND ALL CONCRETE SLURRY BACKFILL SURROUNDING TEMPORARY BYPASS AS SHOWN BY DEDICATED HATCHING. RESTORE LEVEE TO ORIGINAL GRADE WITH APPROVED LEVEE BACKFILL MATERIAL.
 - DEFLECT/TRANSITION PIPE TO MEET HORIZONTAL ALIGNMENT WITHIN PIPE MANUFACTURER'S RECOMMENDATIONS.
 - BACKFILL AND COMPACT PIPE BEDDING MATERIAL TO CASING INVERT. SEE SPECIFICATIONS, SHEET G-2.0

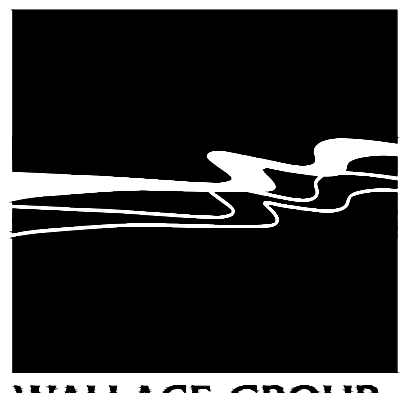
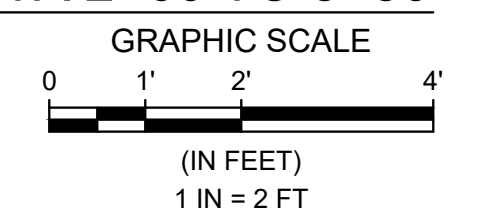


PROFILE - PROPOSED SSFM AND CASING

Horizontal Scale: 1" = 30'



TYPICAL CROSS-SECTION STA 2+60 TO 5+50



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SIGNATURE
 DATE SIGNED

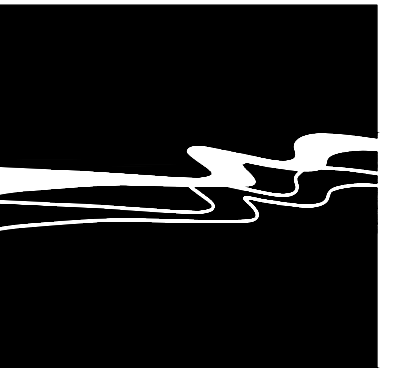
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COUNTY OF MONTEREY
 PAJARO SSFM TEMPORARY REPAIR
 PLAN AND PROFILE

JOB #: 1154-0023
 DESIGNERS: KEW
 DRAWN BY: ZCM
 DATE: 09/28/23

DRAWING NO.
 C-1.0
 3 OF 10 SHEETS



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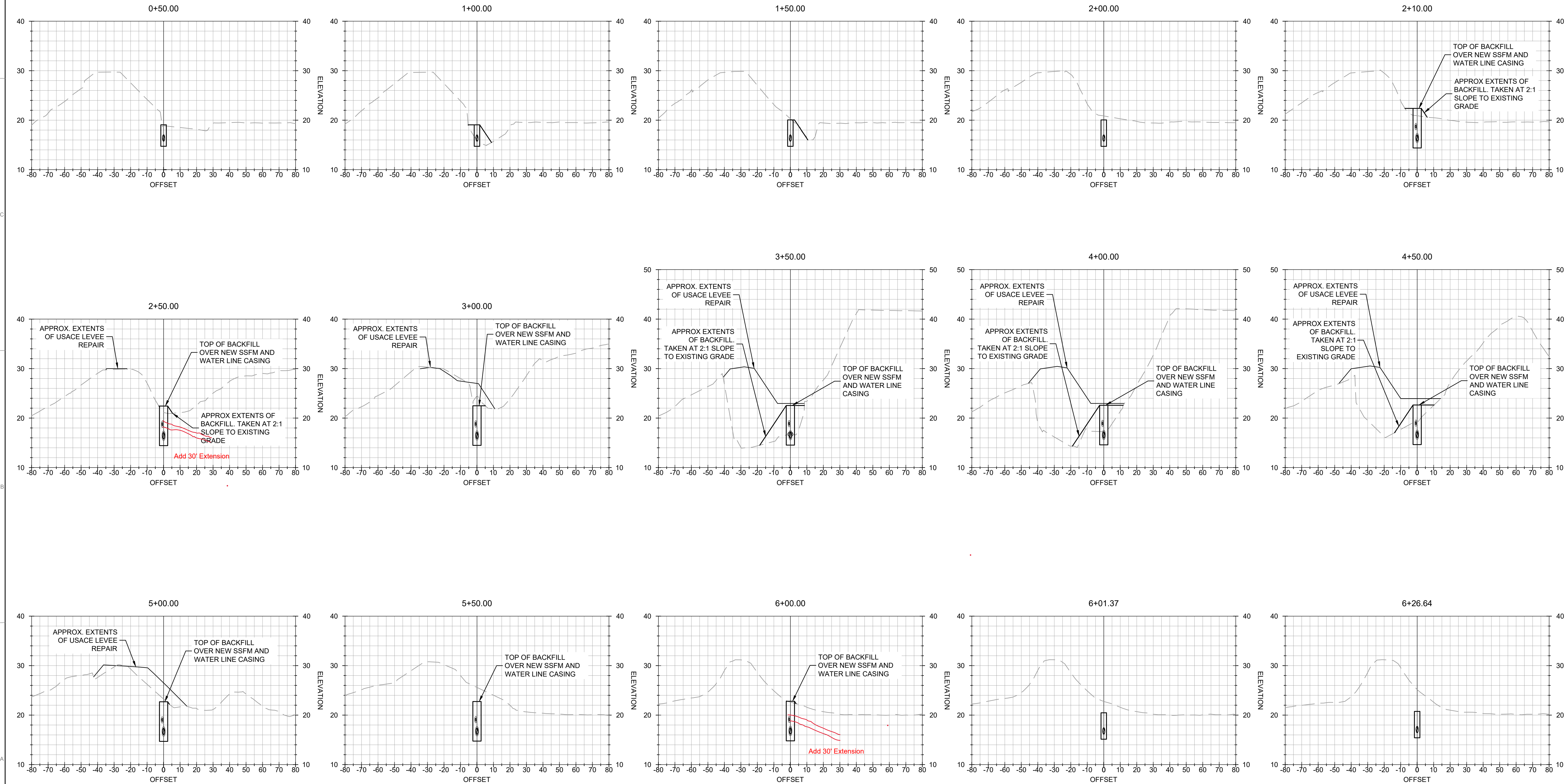
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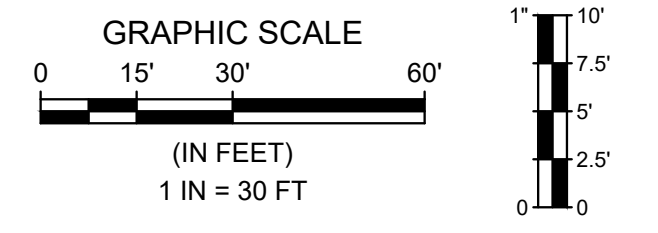
SIGNATURE

DATE SIGNED

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PROPOSED SSFM CROSS-SECTIONS



**COUNTY OF MONTEREY
PAJARO SSFM TEMPORARY REPAIR
SECTIONS**

JOB #: 1154-0023
DESIGNERS: KEW
DRAWN BY: ZCM

DATE: 09/28/23

**DRAWING NO.
C-1.1**

4 OF 10 SHEETS