US Army Corps of Engineers®

SAN FRANCISCO DISTRICT

PUBLIC NOTICE

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Regulatory Branch
333 Market Street
San Francisco, CA 94105-2197 PROJECT MANAGER: Bob Smith Ph: (415) 977-8450/E-mail: Robert.F.Smith@spd02.usace.army.mil

1. **INTRODUCTION:** The Monterey County Water Resources Agency (MCWRA), P.O. Box 930, Salinas, California 93902, [contact: Mr. Bob Meyers, (408) 755-4860] has applied for a Department of the Army authorization to construct a surface water diversion structure in the Salinas River near the City of Salinas, Monterey County, California, as part of the Salinas Valley Water Project (SVWP). This application is being processed pursuant to the provisions of Section 404 of the Clean Water Act (33 U.S.C. 1344) and Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. 403).

2. **PROJECT DESCRIPTION:** The purpose of the SVWP is to provide for the long-term management and protection of groundwater resources in the Salinas River Basin by meeting the following objectives: Stopping seawater intrusion; Providing adequate water supplies to meet current and future (year 2030) needs; and Hydrologically balancing the groundwater basin in the Salinas Valley. The proposed surface water diversion would capture water from the Salinas River from April through October via an inflatable dam to provide water for agriculture during the growing season so that ground water need not be pumped.

The surface diversion would be constructed immediately downstream of the Blanco Drain between State Highway 1 and the Blanco Road crossing (See attached drawings), west of Salinas, in Monterey County. The diversion structure would be equipped with pneumatically operated gates. Outside the diversion season, the gates would be lowered to lay flat on a concrete sill on the bed of the river. During the diversion season, the gates would be raised to create an impoundment from which water would be diverted. The gates would be comprised of multiple panels that may be raised and lowered independently to facilitate fish passage and control the water level in the impoundment. The maximum depth of the impoundment would be 9 feet at the diversion structure and at full pool would cover 48 acres. The impoundment would extend approximately 3.2 miles upstream, 1500 feet upstream of Blanco Road. The diversion structure would also include a fishway and fish screens to provide for fish passage when the dam is raised. A pump station with a capacity of 85 cubic feet per second (cfs) would discharge the diverted water into the existing Castroville Seawater Intrusion Project (CSIP) pipeline and commingle with water from the Monterey County Regional Wastewater Treatment Plant.

The footprint for the diversion facility is 1.7 acres, with an additional 2 acres for construction staging areas. A total of 0.6 acre of the facility is in the river channel below the ordinary high water mark (ohwm). Approximately 0.9 acre of riparian habitat above the ohwm would be permanently lost, and 0.2 acre outside of the river channel would be devoted to the pump station. Construction would require the temporary disruption of approximately 0.2 acre of riparian habitat on the south bank to provide access to the south end of the diversion structure. A permanent access road would also be constructed immediately upstream of the diversion facility to allow access to the lower diversion structure for future maintenance.

Diversion Structure

The diversion structure would incorporate pneumatically operated gates, 230 feet in length. The height of the gates would be controlled with an inflatable air bladder. The invert (bottom) of 220 feet of the dam would be at El. 0.0, and 10 feet of the dam would be at El. -1.83. The 10-foot section of the dam, constructed at El. -1.83, will facilitate maintaining a low flow channel with sufficient depth for fish passage when the dam is lowered. During higher flows, this section can function as a sluiceway to minimize the buildup of sand near the entrance to the intake structure. The dam would impound water to El. 9.0. The top one-foot of the impoundment would be used to provide operational flexibility for meeting agricultural water needs. The invert of the diversion structure would be positioned such that when the lagoon is open to the ocean, and water is not being diverted, the 10-foot lower section would always have approximately one foot of water, except when there is very little flow and a tide of minus 1.0. When the lagoon is closed, the water level would generally be controlled to approximately El. 3.0, thereby flooding the structure with the gates lowered.

The diversion structure would be constructed by excavating below the bed and into the channel walls, installing a concrete foundation with the top below the surface elevation of the riverbed, and installing multi-plated pneumatically operated spillway gates on top of the concrete foundation. The foundation would be constructed of reinforced concrete with vinyl sheet piles driven at the upstream and downstream ends. Vinyl sheet piles are proposed to avoid deterioration by corrosion, which would occur with steel. The upstream sheet piles would serve as a hydraulic cutoff to prevent water from "piping" under the structure and undermining the foundation. The downstream sheet piles would serve as a structural cutoff to protect the foundation from being undercut by scouring. Following construction of the diversion facility, the channel would be graded smooth. If sediment does accumulate over the facility, it will be flushed off readily when high flows occur.

The compressors and controls for pneumatic operation of the air bladder would be located off channel adjacent to the proposed pump station. All equipment will be situated at least one foot above the 100-year floodplain (El. 22), as shown on the Flood Insurance Rate Maps published by the Federal Emergency Management Agency.

Intake Fish Screen and Fish Ladder

The intake fish screen would be designed to comply with the criteria of the National Marine Fisheries Service and the California Department of Fish and Game. Final design parameters would be reviewed with the respective agencies for concurrence in advance of design. The fish screen and fish ladder would be designed as a hydraulic unit in that the bypass flows for fish passage through the ladder would provide the sweeping velocities across the screen face.

The invert of the intake structure would be set at El. 0.0, with the fish screen set from El. 1.0 to El. 7.0. This setting is selected to provide space for accumulating sand and other material that could enter the facility. The adjacent section of the diversion structure, set at El. -1.85, will function to sluice sand away from the intake entrance during high flows.

Intake Pump Station

The intake would be designed and constructed for a diversion of 135 cfs; however, initially, the structure would be equipped with fish screens and a cleaning system to divert up to 85 cfs. The intake would be a reinforced concrete structure, which would transition to three 48-inch-diameter concrete pipes (plus two more pipes for expanded delivery) to deliver water to the pump station approximately 200 feet from the fish screen.

3. **STATE APPROVALS:** Under Section 401 of the Clean Water Act (33 U.S.C. Section 1341), an applicant for a Corps permit must obtain a State water quality certification or waiver before a Corps permit may be issued. The applicant has provided the Corps with evidence that he has submitted a valid request for State water quality certification to the Central Coast Regional Water Quality Board. No Corps permit will be granted until the applicant obtains the required certification or waiver. A waiver shall be explicit, or it will be deemed to have occurred if the State fails or refuses to act on a valid request for certification within 60 days after the receipt of a valid request, unless the District Engineer determines a shorter or longer period is reasonable for the State to act.

4. **ENVIRONMENTAL ASSESSMENT**: The USACE has determined that the proposed action may have a significant impact on the quality of the human environment. Therefore, the USACE and the MCWRA have prepared an Environmental Impact Statement/Environmental Impact Report (EIS/EIR) for the proposed action in accordance with the requirements of the National Environmental Policy Act of 1969 (Public Law 91-190), and pursuant to Council on Environmental Quality's Regulations, 40 CFR 1500-1508, and Corps of Engineers' Regulations, 33 CFR 230 and 325, Appendix B. The EIS/EIR, issued in April 2002, contains a detailed discussion of the impacts of the proposed project. Copies of the EIS/EIR can be obtained from the MCWRA or found on their web site at: www.mcwra.co.monterey.ca.us.

Endangered Species – During winter months adult steelhead migrate through the project area on their way to upstream spawning habitat, and steelhead juveniles and smolts migrate downstream to rearing habitat in the lagoon or ocean. There is a potential for significant impacts on migration of steelhead when the dam is raised. Exposure of migrating juvenile steelhead to altered habitat conditions or predation in the diversion facility impoundment would not likely differ significantly in type or degree from that occurring under present conditions in the lagoon. However, this cannot be established with certainty, particularly with respect to the potential for predation and therefore this impact must be regarded as potentially significant. The USACE will conduct a consultation under Section 7 of the Endangered Species Act with the National Marine Fisheries Service on the impacts of the project on steelhead.

California red-legged frogs have been documented to occur within the vicinity of the project area. The project area is within critical habitat for the frog. The USACE will conduct a consultation under Section 7 of the Endangered Species Act with the U.S. Fish and Wildlife Service on the impacts of the project on the California red-legged frog.

5. **EVALUATION OF ALTERNATIVES**: Evaluation of this activity's impact on the public interest will also include application of the guidelines promulgated by the Administrator of the Environmental Protection Agency under Section 404(b)(1) of the Clean Water Act, 33 U.S.C. Section 1344(b).

6. **PUBLIC INTEREST EVALUATION:** The decision whether to issue a permit will be based on an evaluation of the probable impacts, including cumulative impacts, of the proposed activity and its intended use on the public interest. Evaluation of the probable impacts that the proposed activity may have on the public interest requires a careful weighing of all those factors that become relevant in each particular case. The benefits that reasonably may be expected to accrue from the proposal must be balanced against its reasonably foreseeable detriments. The decision whether to authorize a proposal, and if so the conditions under which it will be allowed to occur, are therefore determined by the outcome of the general balancing process. That decision will reflect the national concern for

both protection and utilization of important resources. All factors that may be relevant to the proposal must be considered including the cumulative effects thereof. Among those are conservation, economics, aesthetics, general environmental concerns, wetlands, cultural values, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shore erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership, and, in general, the needs and welfare of the people.

7. **CONSIDERATION OF COMMENTS:** The Corps of Engineers is soliciting comments from the public, Federal, State and local agencies and officials, Indian Tribes, and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

8. **SUBMISSION OF COMMENTS:** Interested parties may submit in writing any comments concerning this activity. Comments should include the applicant's name, the number, and the date of this notice and should be forwarded so as to reach this office within the comment period specified on page one of this notice. Comments should be sent to the Regulatory Branch. It is Corps policy to forward any such comments that include objections to the applicant for resolution or rebuttal. Any person may also request, in writing, within the comment period of this notice that a public hearing be held to consider this application. Requests for public hearings shall state, with particularity, the reasons for holding a public hearing. Additional details may be obtained by contacting the applicant whose address is indicated in the first paragraph of this notice, or by contacting Bob Smith of our office at telephone 415-977-8450 or E-mail: Robert.F.Smith@spd02.usace.army.mil. Details on any changes of a minor nature that are made in the final permit action will be provided on request.