

**Notice of Availability**  
**Finding of No Significant Impact**  
**408-2023-0024**  
**Associated with the SR-91 Bridge Widening Project**

The U.S. Army Corps of Engineers (USACE) Los Angeles District has finalized a Finding of No Significant Impact (FONSI) for Section 408 project no. 408-SPL-2023-0024 associated with the SR-91 Bridge Widening Project.

The Council on Environmental Quality (CEQ) National Environmental Policy Act (NEPA) implementing regulations allow for a Federal agency to adopt another agency's environmental assessment (40 C.F.R. § 1506.3(c)). USACE Engineer Circular (EC) 1165-2-220 describes policy and procedural guidance for processing requests to alter USACE Civil Work projects pursuant to 33 U.S.C. § 408. EC 1165-2-220 (Appendix D) strongly encourages USACE districts to adopt and/or incorporate by reference any NEPA documentation that may exist for the Federal project. USACE may adopt, in whole or in part, another Federal agency's draft or final EA. The Federal Highway Administration assigned to Caltrans its responsibilities under NEPA and other environmental laws for this project pursuant to 23 U.S.C. § 327. When adopting all or portions of another agency's EA, USACE is still responsible for developing a FONSI, as applicable, to document NEPA compliance for the Section 408 permission decision. This FONSI documents the USACE decision regarding the 408 permission request to alter the USACE Civil Works project.

The orange County Transportation Authority (OCTA), through the Orange County Flood Control District (OCFCD), proposes to alter Santa Ana River, a USACE federally authorized Civil Works project. The proposed alteration to the USACE project involves widening the existing State Route 91 approximately 11-feet on the west side of the existing structure, extension of 8 piers within the Santa Ana River Channel, diversion of stream flows, and three additional geotechnical borings along Santa Ana River for a bikeway detour (Section 408 Activity). The Section 408 Activity is part of the construction of the State Route 91(SR-91) Improvement Project between State Route 57 (SR-57) and State Route 55 (SR-55) (Proposed Project).

In accordance with NEPA, the California Department of Transportation (Caltrans) in June 2020 published an Initial Study and Environmental Assessment (EA) for the Proposed Project and issued a mitigated negative declaration pursuant to the California Environmental Quality Act (CEQA). The USACE independently reviewed the EA and determined the EA sufficiently identifies and evaluates the environmental impacts related to the Section 408 Activity. Therefore, in accordance with 40 C.F.R. § 1506.3(c), USACE's NEPA regulations at 33 CFR Part 230, and EC 1165-2-220, the USACE adopted Caltrans's EA.

Click each link for the Caltrans's EA, and the USACE's FONSI:

Caltrans's 2020 EA:

[https://www.spl.usace.army.mil/Portals/17/408%20Permits/SR-91%20Const\\_Sec%20408\\_Final%20IS-MND\\_EA-FONSI\\_06-2020.pdf?ver=LUKFAIAwXblljky1afOWkA%3d%3d&timestamp=1702596820506](https://www.spl.usace.army.mil/Portals/17/408%20Permits/SR-91%20Const_Sec%20408_Final%20IS-MND_EA-FONSI_06-2020.pdf?ver=LUKFAIAwXblljky1afOWkA%3d%3d&timestamp=1702596820506)

USACE's 2023 FONSI:

[https://www.spl.usace.army.mil/Portals/17/408%20Permits/408-SPL-2023-0024%20Santa%20Ana%20River%20SR91%20Bridge%20Widening%20FONSI.pdf?ver=ljQdnFqinz48z\\_SQyplgQ%3d%3d&timestamp=1702596854366](https://www.spl.usace.army.mil/Portals/17/408%20Permits/408-SPL-2023-0024%20Santa%20Ana%20River%20SR91%20Bridge%20Widening%20FONSI.pdf?ver=ljQdnFqinz48z_SQyplgQ%3d%3d&timestamp=1702596854366)

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