
Central Valley Regional Water Quality Control Board

20 September 2013

Nancy H. Sandburg
United States Army Corps of Engineers
1325 J Street, 10th Floor
Sacramento, CA 95814

CERTIFIED MAIL
7012 2210 0002 1419 4956

ORDER AMENDING CLEAN WATER ACT §401 TECHNICALLY CONDITIONED WATER QUALITY CERTIFICATION; UNITED STATES ARMY CORPS OF ENGINEERS, FOLSOM DAM MODIFICATION PROJECT (WDID#5A34CR00573A1), SACRAMENTO COUNTY

This Order responds to the 11 September 2013 request for an amendment of the Folsom Dam Modification Project § 401 Water Quality Certification (WDID#5A34CR00573). The original Water Quality Certification (Certification) was issued on 18 January 2013. The original Certification was rescinded and reissued on 10 April 2013. The requested amendment is hereby approved. The reissued Certification is therefore amended as shown in underline/strikeout format below. Please attach this document to the reissued Certification.

REASON FOR AMENDMENT:

The United States Army Corps of Engineers is requesting a change to Technical Certification Condition #34. The change shall read as follows:

34. The United States Army Corps of Engineers shall provide evidence of all off-site compensatory mitigation requirements, including, but not limited to, the purchase of mitigation credits and the creation of habitat ~~prior to~~ within 180 days of commencing in-water construction to the Central Valley Water Board.

Compensatory mitigation must comply with the effective policy at the time of Certification, which ensures no overall net loss of wetlands for impacts to waters of the State.

Evidence of compliance with compensatory mitigation requirements includes providing a letter from the approved compensatory mitigation bank. The letter must: (a) be on the compensatory mitigation bank's or in-lieu fee recipient's letterhead; (b) be signed by an authorized representative of the compensatory mitigation bank; (c) indicate the United States Army Corps of Engineers' SPK number; (d) describe the project name and location; and (e) detail the type of compensatory mitigation credits purchased for the project's impacts.

APPLICATION FEE RECEIVED:

No fees are required for this amendment. Total fees of \$59,000.00 for the original Certification were submitted to the Central Valley Regional Water Quality Control Board as required by 23 CCR §3833b (3)(A) and by 23 CCR §2200(a)(e) of the California Code of Regulations.

CENTRAL VALLEY WATER BOARD CONTACT:

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WATER QUALITY CERTIFICATION:

I hereby issue an Order amending the existing Clean Water Act, Section 401 Technically Conditioned Water Quality Certification for the Folsom Dam Modification Project (WDID#5A34CR00573). All other conditions and provisions of the original Water Quality Certification and any previously approved amendments remain in full force and effect, except as modified based on the conditions of this Order. Failure to comply with the terms and conditions of the original Water Quality Certification, previously approved amendments, or of this Order may result in suspension or revocation of the Water Quality Certification.

Original signed by Kenneth D. Landau for

Pamela C. Creedon
Executive Officer

cc: Distribution List, page 3

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