

Central Valley Regional Water Quality Control Board

8 April 2019

Cameron Knudson
California Department of Transportation
703 B Street
Marysville, CA 95901

ORDER AMENDING CLEAN WATER ACT SECTION 401 WATER QUALITY CERTIFICATION; CALIFORNIA DEPARTMENT OF TRANSPORTATION, SIMMERLY SLOUGH BRIDGE REPLACEMENT PROJECT (WDID NO. 5A58CR00145A2), YUBA COUNTY

This Order responds to the 29 March 2019 request for an amendment of the Simmerly Slough Bridge Replacement Project Section 401 Water Quality Certification (WDID No. 5A58CR00145A1). The original Water Quality Certification (Certification) was issued on 25 June 2018, and an amendment was previously issued on 27 December 2018. The requested amendment is hereby approved, and the original Certification is therefore amended as described below. Please attach this document to the original Certification.

AMENDMENT:

The California Department of Transportation is requesting an amendment to the Section 401 Water Quality Certification to change the required compensatory mitigation from “Stream Channel” and “Wetlands” credits to “Aquatic Resources” and to specify the Sacramento District California In-Lieu Fee Program for the Feather River Service Area. Therefore, Section XIII.K.4, Table 4 and 5 of the Section 401 Water Quality Certification, and Table 3 of Attachment B of the Certification are amended as shown in underline/strikeout format below:

XIII.K.4 Total Required Compensatory Mitigation

- a. The Permittee is required to provide compensatory mitigation for the authorized impact to 0.273 acre(s) of Drainage Ditch by purchasing 0.27 Aquatic Resource Credits from the Stream Channel Credits at an approved National Fish and Wildlife Foundation’s (NFWF) Sacramento District California In-Lieu Fee Program for the Feather River Service Area.
- b. The Permittee is required to provide compensatory mitigation for the authorized impact to 2.351 acre(s) of wetlands by purchasing 2.35 Aquatic Resource credits from the Wetlands Credits at an approved National Fish and Wildlife Foundation’s (NFWF) Sacramento District California In-Lieu Fee Program for the Feather River Service Area.

- c. Total required Project compensatory mitigation information for permanent physical loss of area is summarized in Table 4.

Table 4: Required Project Compensatory Mitigation Quantity for Permanent Physical Loss of Area								
Aquatic Resource Type	Comp Mit. Type ¹	Units	Method ²					
			Est.	Re-est.	Reh.	Enh.	Pres.	Unknown
<u>Aquatic Resource Credits</u>	<u>ILF</u>	<u>Acres</u>						<u>2.62</u>
<u>Stream Channel</u>	<u>ILF</u>	<u>Acres</u>						<u>0.27</u>
<u>Wetland</u>	<u>ILF</u>	<u>Acres</u>						<u>2.35</u>

- d. The Permittee is required to provide compensatory mitigation for ecological degradation to 6.274 acres(s) of Wetlands by purchasing 3.14 Aquatic Resource credits from the Wetlands Credits at an approved National Fish and Wildlife Foundation's (NFWF) Sacramento District California In-Lieu Fee Program for the Feather River Service Area.
- e. Total required Project compensatory mitigation information for temporal loss is summarized in Table 5.

Table 5: Required Project Compensatory Mitigation Quantity for Permanent Degradation of Ecological Condition								
Aquatic Resource Type	Comp Mit. Type ³	Units	Method ⁴					
			Est.	Re-est.	Reh.	Enh.	Pres.	Unknown
<u>Aquatic Resource Credits</u>	<u>ILF</u>	<u>Acres</u>						<u>3.14</u>
<u>Wetland</u>	<u>ILF</u>	<u>Acres</u>						<u>3.14</u>

¹ Compensatory mitigation type may be: In-Lieu-Fee (ILF); Mitigation Bank (MB); Permittee-Responsible (PR)

² Methods: establishment (Est.), reestablishment (Re-est.), rehabilitation (Reh.), enhancement (Enh.), preservation (Pres.). Unknown applies to advance credits with an unknown method and or location.

³ Compensatory mitigation type may be: In-Lieu-Fee (ILF); Mitigation Bank (MB); Permittee-Responsible (PR)

⁴ Methods: establishment (Est.), reestablishment (Re-est.), rehabilitation (Reh.), enhancement (Enh.), preservation (Pres.). Unknown applies to advance credits with an unknown method and or location.

Attachment B

Compensatory Mitigation Information

The following table(s) show individual compensatory mitigation information and locations.

In-Lieu Fee Program Mitigation-Bank Compensatory Mitigation Site Information

Table 3: <u>In-Lieu Fee Program Mitigation-Bank</u>			
Mitigation Bank	Name:	National Fish and Wildlife Foundation (NFWF) <u>Sacramento District California</u> In-Lieu Fee Program <u>for the Feather River Service Area</u>	
	Website:	www.nfwf.org/ilf	
Contact Information	Name:	<u>Christopher Gurney</u>	
	Phone:	<u>(415) 593-7626</u>	
	Email:	Christopher.Gurney@nfwf.org	
Mitigation Location	County:	<u>Butte, Lassen, Plumas, Shasta, Sierra, Sutter and Yuba Counties</u>	
	Latitude:		
	Longitude:		
Aquatic Resource Credit Type	Mitigation Quantity		
	Acres	Linear Feet	Number of Credits Purchased
<u>Aquatic Resource Credits</u>	<u>5.76</u>		
<u>Drainage Ditch</u>	<u>0.27</u>		
<u>Wetland</u>	<u>5.49</u>		

CENTRAL VALLEY WATER BOARD CONTACT:

Daniel Warner
 364 Knollcrest Drive, Suite 205
 Redding, CA 96002
Daniel.warner@waterboards.ca.gov
 (530) 224-4848

WATER QUALITY CERTIFICATION:

I hereby issue an Order amending the existing Clean Water Act, Section 401 Water Quality Certification for the Simmerly Slough Bridge Replacement Project (WDID No. 5A58CR00145A2). 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.



PATRICK PULUPA, Executive Officer
Central Valley Regional Water Quality Control Board

4-8-2019

Date

DLW: ck

cc: U.S. Army Corps of Engineers, Sacramento
California Department of Fish and Wildlife, Region 2, Rancho Cordova
U.S. Fish and Wildlife Service, Sacramento
Bill Jennings, CALSPA, Stockton

cc
by email: Sam Ziegler, United States Environmental Protection Agency, San Francisco
Elizabeth Payne, Water Quality Certification Program, SWRCB, Sacramento