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## Central Valley Regional Water Quality Control Board

18 November 2016

Paul A. Marshall  
Department of Water Resources  
1416 Ninth Street, Room 215-37  
Sacramento, CA 95814

CERTIFIED MAIL  
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***ORDER AMENDING CLEAN WATER ACT SECTION 401 TECHNICALLY CONDITIONED WATER QUALITY CERTIFICATION; DEPARTMENT OF WATER RESOURCES, SHERMAN ISLAND "LITTLE BAJA AND MANZO RANCH" FISH RELEASE SITES PROJECT (WDID#5B34CR00062A2), SACRAMENTO COUNTY***

This Order responds to the 27 September 2016 request for an amendment of the Sherman Island "Little Baja and Manzo Ranch" Fish Release Sites Project Section 401 Water Quality Certification (WDID#5B34CR00062). The original Water Quality Certification (Certification) was issued on 30 December 2014. Amendment #1 to the Certification (WDID#5B34CR00062A1) was issued on 16 August 2016. The requested 2<sup>nd</sup> amendment is hereby approved. The original Certification is therefore amended as described below. Please attach this document to the original Certification.

**AMENDMENT:**

The Department of Water Resources is requesting to modify the Certification with updated impacts to waters of the United States as identified in the Clean Water Act Section 404 Nationwide Permit #3 and 7 from the United States Army Corps of Engineers (SPK-2014-00763) issued on 10 August 2015. In addition, the Certification is being modified to add the Central Valley Regional Water Quality Control Board's California Environmental Quality Act requirements and findings.

The Certification is amended as shown in strikeout/underline format below:

16. The Applicant shall implement each of the mitigation measures specified in the approved Mitigated Negative Declaration for the Project, as they pertain to biology, hydrology and water quality impacts as required by Section 21081.6 of the Public Resource Code and Section 15097 of the California Code of Regulations.

**REGIONAL WATER QUALITY CONTROL BOARD CONTACT PERSON:**

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**CALIFORNIA ENVIRONMENTAL QUALITY ACT:**

The Department of Water Resources (DWR) is the Lead Agency responsible for compliance with the California Environmental Quality Act for the Sherman Island "Little Baja and Manzo Ranch" Fish Release Sites Project pursuant to Section 21000 et seq. of the Public Resources Code. DWR approved the Mitigated Negative Declaration on 14 November 2014. DWR filed a Notice of Determination with the State Clearinghouse on 14 November 2014 (SCH No. 2014052035).

The Central Valley Water Board is a responsible agency for the project. The Central Valley Water Board has determined that the Mitigated Negative Declaration is in accordance with the requirements of the California Environmental Quality Act.

The Central Valley Water Board has reviewed and evaluated the impacts to water quality identified in the Mitigated Negative Declaration. The mitigation measures discussed in the Mitigated Negative Declaration to minimize project impacts to State waters are required by this Certification.

With regard to the remaining impacts identified in the Mitigated Negative Declaration, the corresponding mitigation measures proposed are within the responsibility and jurisdiction of other public agencies.

The Project Information Sheet is amended as shown in strikeout/underline format below:

**Fill/Excavation Area** Project Implementation will permanently impact ~~4.008~~ 1.177 acres of jurisdictional wetlands (waters of the United States) and temporarily impact ~~0.0986~~ 0.024 acre of jurisdictional wetlands (waters of the United States). Approximately 134 cubic yards of clay fill material will be placed into 1.177 acre of waters of the United States. Approximately 37 cubic yards of rip rap will be placed into 1.177 acre of waters of the United States.

**Status of CEQA Compliance** Pursuant to Section 21082 of the California Environmental Quality Act, Department of Water Resources (DWR) has independently reviewed and analyzed the Initial Study/Mitigated Negative Declaration (IS/MND) for the proposed project and finds the IS/MND reflects the independent judgement of DWR. As the lead agency for the project, DWR further finds that the project mitigation and conservation measures will be implemented as stated in the MND. With implementation of these mitigation and conservation measures, the proposed project as modified would have no significant impact on the environment. The Department of Water Resources (DWR) approved a Mitigated Negative Declaration on 14 November 2014. DWR filed a Notice of Determination with the State Clearinghouse on 14 November 2014 (SCH No. 2014052035).

The Central Valley Water Board will file a Notice of Determination with the State Clearinghouse as a responsible agency within five (5) days of the date of this Certification.

**APPLICATION FEE RECEIVED:**

Total fees of \$402.00 were submitted for this amendment. Total fees of \$6,408.00 for the original Certification were submitted to the Central Valley Regional Water Quality Control Board as required by Section 3833(b)(3)(A) and by Section 2200(a)(3) of the California Code of Regulations.

**WATER QUALITY CERTIFICATION:**

I hereby issue an Order amending the existing Clean Water Act, Section 401 Technically Conditioned Water Quality Certification for the Sherman Island "Little Baja and Manzo Ranch" Fish Release Sites Project (WDID#5B34CR00062A2). 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 Adam Laputz for:*

Pamela C. Creedon  
Executive Officer

cc: Distribution List, page 4

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