

Central Valley Regional Water Quality Control Board

26 April 2019

Chris Elias
 San Joaquin Area Flood Control Agency
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 Stockton, CA 95202

CERTIFIED MAIL
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ORDER AMENDING CLEAN WATER ACT SECTION 401 WATER QUALITY CERTIFICATION AND ORDER FOR THE SMITH CANAL GATE PROJECT, SAN JOAQUIN COUNTY (WDID#5B39CR00307)

This Order responds to the 11 April 2019 request for an amendment of the Smith Canal Gate Project Section 401 Water Quality Certification (WDID#5B39CR00307). The original Water Quality Certification (Certification) was issued on 15 March 2019. The requested amendment is hereby approved. The original Certification is therefore amended as described below. Please attach this document to the original Certification.

AMENDMENT:

San Joaquin Area Flood Control Agency is requesting a correction to a typographical error for the quantity of compensatory mitigation required for permanent impacts. The amount identified in the Certification is 0.855 acre. The correct amount of permanent impacts to stream channel requiring compensatory mitigation is 0.820 acre. The Certification is amended as shown in underline/strikeout format below.

Total Required Compensatory Mitigation: The Permittee is required to provide compensatory mitigation for the authorized impact to ~~0.855~~ 0.820 acre of stream channel habitat by purchasing mitigation credits from a United States Army Corps of Engineers approved mitigation bank at a ratio of 1:1 at a minimum (~~0.855~~ 0.820 acre).

Table 4: Required Project Compensatory Mitigation Quantity for Permanent Physical Loss of Area

Aquatic Resource Type	Comp Mit. Type	Units	Method					
			Est.	Re-est.	Reh.	Enh.	Pres.	Unknown
Stream Channel	MB	Acres	-	-	-	-	-	0.855 <u>0.820</u>
Wetland	PR	Acres	-	-	-	-	-	0.007

APPLICATION FEE RECEIVED:

No additional fees were submitted for this amendment. Total fees of \$6,210.00 for the original Certification were submitted to the Central Valley Regional Water Quality Control Board as required by § 3833 (b)(3)(A) and by § 2200(a)(3) 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 Water Quality Certification and Order for the Smith Canal Gate Project (WDID#5B39CR00307A1). 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 Jim Marshall for:

Patrick Pulupa
Executive Officer

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