



Central Valley Regional Water Quality Control Board

15 May 2023

Ernesto Garcia
California Department of Transportation
2015 E. Shields, Ste. 100
Fresno, CA 93726

ORDER AMENDING CLEAN WATER ACT SECTION 401 TECHNICALLY CONDITIONED WATER QUALITY CERTIFICATION; CALIFORNIA DEPARTMENT OF TRANSPORTATION, TULARE CULVERT REPLACEMENT TUL-190-34.7/39.4 PROJECT (WDID NO. 5C54CR00102A1), TULARE COUNTY

This Order responds to the 26 October 2022 request to amend the Tulare Culvert Replacement TUL-190-34.7/39.4 Project (Project) Section 401 Water Quality Certification (WDID No. 5C54CR00102). The original Water Quality Certification (Certification) was issued on 25 July 2019. The requested amendment is hereby approved. The original Certification is therefore amended as described below. Please attach this document to the original Certification.

CERTIFICATION DEVIATION:

The California Department of Transportation is requesting an amendment to recognize an increase in permanent impacts to waters of the state.

Therefore, the first paragraph of the Certification and the Project Information Sheet are amended in underline format below.

This Order responds to the 22 April 2019 application submitted by the California Department of Transportation (Applicant) for the Water Quality Certification of the Tulare Culvert Replacement TUL-190-34.7/39.4 Project (Project), permanently impacting 0.018 acre of waters of the United States.

PROJECT INFORMATION SHEET

California Integrated Water Quality System Impact Data: The Project will permanently impact 0.018 acre of riparian habitat and temporarily impact 0.72 acre of riparian habitat.

Table 1: Impacts from Fill and/or Excavation Activities

Aquatic Resource Type	Temporary Acres	Temporary. Cubic Yards	Temporary. Linear Feet	Permanent Loss Acres	Permanent Loss Cubic Yards	Permanent Loss Linear Feet	Permanent. Degradation. Acres	Permanent Degradation Cubic Yards	Permanent Degradation Linear Feet
Riparian Zone	0.72	--	--	<u>0.018</u>	--	--	--	--	--

Compensatory Mitigation: The Permittee is required to provide compensatory mitigation for the authorized impact to 0.018 acre of Riparian Zone habitat by purchasing 0.02 Aquatic Resource Credits in the Kaweah/Tule Aquatic Resource Watershed Service Area. Required credits shall be purchased from the National Fish and Wildlife Foundation (NFWF)'s Sacramento District California In-Lieu Fee Program. A copy of the fully executed agreement for the purchase of mitigation credits shall be provided to the Central Valley Water Board within six months of issuance of this amendment.

APPLICATION FEE RECEIVED:

No fee was required for this amendment.

CENTRAL VALLEY REGIONAL WATER QUALITY CONTROL BOARD CONTACT:

Matt Scroggins, Senior Water Resource Control Engineer
 1685 E Street
 Fresno, CA 93706
Matt.Scroggins@waterboards.ca.gov; (559) 445-6042

WATER QUALITY CERTIFICATION:

I hereby issue an Order amending the existing Clean Water Act, Section 401 Technically Conditioned Water Quality Certification for the Tulare Culvert Replacement TUL-190-34.7/39.4 Project (WDID#5C54CR00102A1). 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 Scott J. Hatton for:
 Patrick Pulupa
 Executive Officer

cc: see next page

CA Department of Transportation
Tulare Culvert Replacement
TUL-190-34.7/39.4 Project

- 3 -

15 May 2023

cc: [Via email only]

CWA Section 401 WQC Program
Division of Water Quality
State Water Resources Control Board
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