



---

## Central Valley Regional Water Quality Control Board

15 December 2021

Jess Avila  
California Department of Transportation  
703 B Street  
Marysville, CA 95901  
jess.avila@dot.ca.gov

**CLEAN WATER ACT SECTION 401 TECHNICALLY CONDITIONED WATER QUALITY CERTIFICATION; CALIFORNIA DEPARTMENT OF TRANSPORTATION, SAC 5 AUXILIARY LANES (PHASE 1) PROJECT (03-0H581), (WDID#5A34CR00835), SACRAMENTO COUNTY**

This Order responds to the 8 October 2021 application submitted by California Department of Transportation (Applicant) for the Water Quality Certification of the SAC 5 Auxiliary Lanes (Phase 1) Project (Project) permanently impacting 0.15 acre/1041 linear feet of waters of the United States.

This Order serves as certification of the United States Army Corps of Engineers' Nationwide Permit #14 (SPK-2021-00426) under Section 401 of the Clean Water Act, and a Waste Discharge Requirement under the Porter-Cologne Water Quality Control Act and State Water Board Order 2003-0017-DWQ.

**WATER QUALITY CERTIFICATION STANDARD CONDITIONS:**

- 1. This Water Quality Certification (Certification) is not valid until coverage under Section 404 of the Clean Water Act is obtained. If the Project, including the area of impact (as described) is modified through this process, this Certification will not be valid until amended by the Central Valley Regional Water Quality Control Board (Central Valley Water Board).**
2. This Order serves as a Water Quality Certification (Certification) action that is subject to modification or revocation upon administrative or judicial review, including review and amendment pursuant to Section 13330 of the California Water Code and Section 3867 of the California Code of Regulations.
3. This Certification action is not intended and shall not be construed to apply to any discharge from any activity involving a hydroelectric facility requiring a Federal

DENISE KADARA, ACTING CHAIR | PATRICK PULUPA, EXECUTIVE OFFICER

Energy Regulatory Commission (FERC) license or an amendment to a FERC license unless the pertinent Certification application was filed pursuant to Section 3855(b) of the California Code of Regulations, and the application specifically identified that a FERC license or amendment to a FERC license for a hydroelectric facility was being sought.

4. The validity of any non-denial Certification action shall be conditioned upon total payment of the full fee required under Section 3860(c) of the California Code of Regulations.
5. This Certification is no longer valid if the Project (as described) is modified, or coverage under Section 404 of the Clean Water Act has expired.
6. All reports, notices, or other documents required by this Certification or requested by the Central Valley Water Board shall be signed by a person described below or by a duly authorized representative of that person.
  - (a) For a corporation: by a responsible corporate officer such as: 1) a president, secretary, treasurer, or vice president of the corporation in charge of a principal business function; 2) any other person who performs similar policy or decision-making functions for the corporation; or 3) the manager of one or more manufacturing, production, or operating facilities if authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures.
  - (b) For a partnership or sole proprietorship: by a general partner or the proprietor.
  - (c) For a municipality, state, federal, or other public agency: by either a principal executive officer or ranking elected official.
7. Any person signing a document under Standard Condition number 6 shall make the following certification:

“I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.”

#### **TECHNICAL CERTIFICATION CONDITIONS:**

In addition to the above standard conditions, the Applicant shall satisfy the following:

1. The Applicant shall notify the Central Valley Water Board in writing seven (7) days in advance of the start of any work within waters of the United States.
2. Except for activities permitted by the United States Army Corps of Engineers under Section 404 of the Clean Water Act, soil, silt, or other organic materials shall not be placed where such materials could pass into surface water or surface water drainage courses.
3. The Applicant shall maintain a copy of this Certification and supporting documentation (Project Information Sheet) at the Project site during construction for review by site personnel and agencies. All personnel (employees, contractors, and subcontractors) performing work on the proposed Project shall be adequately informed and trained regarding the conditions of this Certification.
4. The Applicant shall perform surface water sampling<sup>1</sup>:
  - a) when performing any in-water work;
  - b) in the event that Project activities result in any materials reaching surface waters; or
  - c) when any activities result in the creation of a visible plume in surface waters.

Monitoring and reporting requirements identified in Table 1 are consistent with the Central Valley Water Board's authority to investigate the quality of any waters of the state and require necessary monitoring and reporting pursuant to Water Code sections 13267 and 13383. Water Code section 13267 authorizes the regional boards to require any person who has discharged, discharges, or is suspected of having discharged or discharging, or who proposes to discharge waste to provide technical or monitoring program reports required by the regional board. Water Code section 13383 authorizes the regional boards to establish monitoring, inspection, entry, reporting, and other recordkeeping requirements, as authorized by Water Code section 13160, for any person who discharges, or proposes to discharge, to navigable waters. The burden of preparing these reports, including costs, are reasonable in relation to the need for and benefits from obtaining the reports. The reports confirm that the measures required under this order are sufficient to protect beneficial uses and water quality objectives. The sampling requirements in Table 1 shall be conducted by taking a sample of the ambient conditions before work begins in the work area, and sampling during work in the work area. The sampling frequency may be modified for certain projects with written approval from Central Valley Water Board staff.

---

<sup>1</sup> Sampling is not required in wetlands, where the entire wetland is being permanently filled; provided there is no outflow connecting the wetland to surface waters.

**Table 1: Sample Type and Frequency Requirements**

Parameter	Unit	Type of Sample	Minimum Sampling Frequency	Required Analytical Test Method
Turbidity	NTU	Grab <sup>2</sup>	Every 4 hours during in-water work	3, 4
Visible construction related pollutants <sup>5</sup>	Observations	Visual Inspections	Continuous throughout the construction period	NA

Surface water sampling shall occur at mid-depth. A surface water monitoring report shall be submitted within two weeks of initiation of in-water construction, and every two weeks thereafter. In reporting the sampling data, the Applicant shall arrange the data in tabular form so that the sampling locations, date, constituents, and concentrations are readily discernible. The data shall be summarized in such a manner to illustrate clearly whether the Project complies with Certification requirements. The report shall include surface water sampling results, visual observations, and identification of the turbidity increase in the receiving water applicable to the natural turbidity conditions specified in the turbidity criteria below. If no sampling is required, the Applicant shall submit a written statement stating, “No sampling was required” within two weeks of initiation of in-water construction, and every two weeks thereafter.

5. The Central Valley Water Board adopted a *Water Quality Control Plan for the Sacramento River and San Joaquin River Basins*, Fifth Edition, revised May 2018 (Basin Plan) that designates beneficial uses, establishes water quality objectives, and contains implementation programs and policies to achieve those objectives for all waters addressed through the plan. Turbidity limits are based on water quality objectives contained in the Basin Plan and are part of this Certification as follows:

---

<sup>2</sup> Grab samples shall not be collected at the same time each day to get a complete representation of variations in the receiving water.

<sup>3</sup> Pollutants shall be analyzed using the analytical methods described in 40 Code of Federal Regulations Part 136, where no methods are specified for a given pollutant, the method shall be approved by Central Valley Water Board staff.

<sup>4</sup> A hand-held field meter may be used, provided the meter utilizes a USEPA-approved algorithm/method and is calibrated and maintained in accordance with the manufacturer’s instructions. A calibration and maintenance log for each meter used for monitoring shall be maintained onsite.

<sup>5</sup> Visible construction-related pollutants include oil, grease, foam, fuel, petroleum products, and construction-related, excavated, organic or earthen materials.



- a) Waters shall not contain oils, greases, waxes, or other materials in concentrations that cause nuisance, result in a visible film or coating on the surface of the water or on objects in the water, or otherwise adversely affect beneficial uses.
- b) Activities shall not cause turbidity increases in surface water to exceed:
  - i. where natural turbidity is less than 1 Nephelometric Turbidity Units (NTUs), controllable factors shall not cause downstream turbidity to exceed 2 NTUs;
  - ii. where natural turbidity is between 1 and 5 NTUs, increases shall not exceed 1 NTU;
  - iii. where natural turbidity is between 5 and 50 NTUs, increases shall not exceed 20 percent;
  - iv. where natural turbidity is between 50 and 100 NTUs, increases shall not exceed 10 NTUs; and
  - v. where natural turbidity is greater than 100 NTUs, increases shall not exceed 10 percent.
6. Activities shall not cause visible oil, grease, or foam in the receiving water.
7. Refueling of equipment within the floodplain or within 300 feet of the waterway is prohibited. If critical equipment must be refueled within 300 feet of the waterway, spill prevention and countermeasures must be implemented to avoid spills. Refueling areas shall be provided with secondary containment including drip pans and/or placement of absorbent material. No hazardous materials, pesticides, fuels, lubricants, oils, hydraulic fluids, or other construction-related potentially hazardous substances should be stored within a floodplain or within 300 feet of a waterway. The Applicant must perform frequent inspections of construction equipment prior to utilizing it near surface waters to ensure leaks from the equipment are not occurring and are not a threat to water quality.
8. The Applicant shall develop and maintain onsite a project-specific Spill Prevention, Containment and Cleanup Plan outlining the practices to prevent, minimize, and/or clean up potential spills during construction of the Project. The Plan must detail the Project elements, construction equipment types and location, access and staging and construction sequence.
9. Raw cement, concrete (or washing thereof), asphalt, drilling fluids, lubricants, paints, coating material, oil, petroleum products, or any other substances which could be hazardous to fish and wildlife resulting from or disturbed by project-related activities, shall be prevented from contaminating the soil and/or entering waters of the United States.

10. The discharge of petroleum products, any construction materials, hazardous materials, pesticides, fuels, lubricants, oils, hydraulic fluids, raw cement, concrete, asphalt, paint, coating material, drilling fluids, or other construction-related potentially hazardous substances to surface water and/or soil is prohibited. In the event of a prohibited discharge, the Applicant shall notify the Central Valley Water Board Contact within 24-hours of the discharge pursuant to section 13271 of the Water Code, which requires immediate notification of the Office of Emergency Services of the discharge in accordance with the spill reporting provision of the state toxic disaster contingency plan adopted pursuant to Article 3.7 (commencing with Section 8574.16) of Chapter 7 of Division 1 of Title 2 of the Government Code. "Hazardous materials" is defined under Health and Safety Code section 25501.
11. Silt fencing, straw wattles, or other effective management practices must be used along the construction zone to minimize soil or sediment along the embankments from migrating into the waters of the United States through the entire duration of the Project.
12. The use of netting material (e.g., monofilament-based erosion blankets) that could trap aquatic dependent wildlife is prohibited within the Project area.
13. All areas disturbed by Project activities shall be protected from washout and erosion.
14. All temporarily affected areas shall be restored to pre-construction contours and conditions upon completion of construction activities.
15. Hydroseeding shall be performed with California native seed mix.
16. All materials resulting from the Project shall be removed from the site and disposed of properly.
17. This Certification does not allow permanent water diversion of flow from the receiving water. This Certification is invalid if any water is permanently diverted as a part of the project.
18. The Applicant shall apply for a name change or amendment to this Certification should any of the following occur: a) a change in the ownership of all or any portion of the Project; b) any change in the Project description; c) any change involving discharge amounts, temporary impacts, or permanent impacts; or d) amendments, modifications, revisions, extensions, or changes to the United States Army Corps of Engineers' Nationwide Permit # 14.
19. If the Project will involve land disturbance activities of one or more acres, or where the Project disturbs less than one acre but is part of a larger common plan of development that in total disturbs one or more acres, the Applicant shall obtain coverage under the National Pollutant Discharge Elimination System (NPDES) General Permit for Storm Water Discharges Associated with Construction and Land

Disturbance Activities Order No. 2009-0009-DWQ for discharges to surface waters comprised of storm water associated with construction activity.

20. The Conditions in this Certification are based on the information in the attached "Project Information Sheet" and the application package. If the actual project, as described in the attached Project Information Sheet and application package, is modified or changed, this Certification is no longer valid until amended by the Central Valley Water Board.
21. In the event of any violation or threatened violation of the conditions of this Certification, the violation or threatened violation shall be subject to any remedies, penalties, process, or sanctions as provided for under state and federal law, including pursuant to Water Code sections 13368 and 13385. The applicability of any state law authorizing remedies, penalties, process, or sanctions for the violation or threatened violation constitutes a limitation necessary to ensure compliance with this Certification.
  - (a) If the Applicant or a duly authorized representative of the Project fails or refuses to furnish technical or monitoring reports, as required under this Certification, or falsifies any information provided in the monitoring reports, the applicant is subject to civil liability, for each day of violation, and/or criminal liability pursuant to Water Code sections 13368 and/or 13385.
  - (b) In response to a suspected violation of any condition of this Certification, the Central Valley Water Board may require the Applicant to furnish, under penalty of perjury, any technical or monitoring reports the Central Valley Water Board deems appropriate, provided that the burden, including cost of the reports, shall be in reasonable relationship to the need for the reports and the benefits to be obtained from the reports.
  - (c) The Applicant shall allow the staff of the Central Valley Water Board, or an authorized representative(s), upon the presentation of credentials and other documents, as may be required by law, to enter the Project premises for inspection, including taking photographs and securing copies of project-related records, for the purpose of assuring compliance with this Certification and determining the ecological success of the Project.
22. To mitigate for the loss of 0.15 acre of wetland, the Applicant shall purchase a minimum of 0.15 acre of wetland mitigation credits from a United States Army Corps of Engineers approved mitigation bank, or mitigate as otherwise required by the United States Army Corps of Engineers for the impacted watershed prior to commencing construction. The Applicant shall provide evidence of all off-site compensatory mitigation to the Central Valley Water Board. At a minimum, compensatory mitigation must achieve a ratio of 1:1 for permanent impacts.

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 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.

**NOTIFICATIONS AND REPORTS:**

23. The Applicant shall provide a Notice of Completion (NOC) no later than 30 days after the Project completion. The NOC shall demonstrate that the Project has been carried out in accordance with the Project description in the Certification and in any approved amendments. The NOC shall include a map of the Project location(s), including final boundaries of any on-site restoration area(s), if appropriate, and representative pre and post construction photographs. Each photograph shall include a descriptive title, date taken, photographic site, and photographic orientation.

24. The Applicant shall submit all notifications, submissions, materials, data, correspondence, and reports in a searchable Portable Document Format (PDF). Documents less than 50 MB must be emailed to: [centralvalleysacramento@waterboards.ca.gov](mailto:centralvalleysacramento@waterboards.ca.gov). In the subject line of the email, include the Central Valley Water Board Contact, Project name, and WDID number as shown in the subject line above. Documents that are 50 MB or larger must be transferred to a disk and mailed to the Central Valley Water Board Contact.

**CENTRAL VALLEY WATER BOARD CONTACT:**

Shawn Agarwal  
Central Valley Regional Water Quality Control Board  
11020 Sun Center Drive, Suite 200  
Rancho Cordova, CA 95670-8114  
[Shawn.Agarwal@waterboards.ca.gov](mailto:Shawn.Agarwal@waterboards.ca.gov)  
916-464-4849

**CALIFORNIA ENVIRONMENTAL QUALITY ACT:**

The California Department of Transportation is the Lead Agency responsible for compliance with the California Environmental Quality Act for the SAC 5 Auxiliary Lanes (Phase 1) Project pursuant to Section 21000 et seq. of the Public Resources Code. The California Department of Transportation approved a Notice of Exemption with the State Clearinghouse on 3 May 2021 (SCH No. 2021050066).

The Central Valley Water Board has determined that this project meets the Categorical Exemption Class 1 under Section 15301 of the California Code of Regulations, which exempts minor alteration of existing facilities.

**WATER QUALITY CERTIFICATION:**

I hereby issue an Order certifying that any discharge from the California Department of Transportation, SAC 5 Auxiliary Lanes (Phase 1) Project (WDID#5A34CR00835) will comply with the applicable provisions of Section 301 ("Effluent Limitations"), Section 302 ("Water Quality Related Effluent Limitations"), Section 303 ("Water Quality Standards and Implementation Plans"), Section 306 ("National Standards of Performance"), and Section 307 ("Toxic and Pretreatment Effluent Standards") of the Clean Water Act. Through this Order, this discharge is also regulated under State Water Resources Control Board Water Quality Order No. 2003-0017 DWQ "Statewide General Waste Discharge Requirements For Dredged Or Fill Discharges That Have Received State Water Quality Certification (General WDRs)."

Except insofar as may be modified by any preceding conditions, all Certification actions are contingent on: a) the discharge being limited and all proposed mitigation being completed in compliance with the conditions of this Certification, California Department of Transportation's application package, and the attached Project Information Sheet; and b) compliance with all applicable requirements of the *Water Quality Control Plan for the Sacramento River and San Joaquin River Basins*, Fifth Edition, revised May 2018.

Any person aggrieved by this action may petition the State Water Resources Control Board to review the action in accordance with California Water Code Section 13320 and California Code of Regulations, Title 23, Section 2050 and following. The State Water Resources Control Board must receive the petition by 5:00 p.m., 30 days after the date of this action, except that if the thirtieth day following the date of this action falls on a Saturday, Sunday, or state holiday, the petition must be received by the State Water Resources Control Board by 5:00 p.m. on the next business day. Copies of the law and regulations applicable to filing petitions may be found on the State Water Resources Control Board's [Water Quality Petitions webpage](http://www.waterboards.ca.gov/public_notices/petitions/water_quality) ([http://www.waterboards.ca.gov/public\\_notices/petitions/water\\_quality](http://www.waterboards.ca.gov/public_notices/petitions/water_quality)) or will be provided upon request.

*Original Signed By James Marshall for:*

Patrick Pulupa  
Executive Officer

Enclosure: Project Information Sheet

Attachments: Figure 1 – Project Location Map  
Figures 2 through 6 – Impacts to Aquatic Resources Maps

cc: Distribution List, page 14

## PROJECT INFORMATION SHEET

**Application Date:** 08 October 2021

**Applicant:** Jess Avila  
California Department of Transportation  
703 B St  
Marysville, CA 95901

**Applicant Representative:** Kelli Angell  
California Department of Transportation  
703 B St  
Marysville, CA 95901

**Project Name:** SAC 5 Auxiliary Lanes (Phase 1) Project

**Application Number:** WDID#5A34CR00835

**Date on Public Notice:** 15 October 2021

**Date Application Deemed Complete:** 27 October 2021

**Date All Information Received:** 8 October 2021

**Type of Project:** Roads, Highways and Bridges

**Approved Months of Project Implementation:** The Project will be constructed 22 September 2022 through 22 March 2024 with nine months of construction activity. No ground disturbance will occur during the wet season.

**Project Location:** Section 35, Township 10 North, Range 03 East, MDB&M.  
Latitude: 38°40'17.5" N and Longitude: 121°36'19" W

**County:** Sacramento

**Receiving Water(s) (hydrologic unit):** Wetlands adjacent to Highway 5, Sacramento Hydrologic Basin, Valley-American Hydrologic Unit #519.22, Coon-American, Pleasant Grove HSA

**Water Body Type:** Wetland

**Designated Beneficial Uses:** The *Water Quality Control Plan for the Sacramento River and San Joaquin River Basins*, Fifth Edition, revised May 2018 (Basin Plan) has designated beneficial uses for surface and ground waters within the region. Beneficial uses that could be impacted by the project include, but are not limited to: Municipal and Domestic Water Supply (MUN); Agricultural Supply (AGR); Industrial Supply (IND); Hydropower Generation (POW); Groundwater Recharge (GWR); Water Contact Recreation (REC-1); Non-Contact Water Recreation (REC-2); Warm Freshwater Habitat

(WARM); Cold Freshwater Habitat (COLD); Preservation of Biological Habitats of Special Significance (BIOL); Rare, Threatened, or Endangered Species (RARE); Migration of Aquatic Organisms (MIGR); Spawning, Reproduction, and/or Early Development (SPWN); and Wildlife Habitat (WILD). A comprehensive and specific list of the beneficial uses applicable for the project area can be found on the Central Valley Water Board's [Basin Planning webpage](http://www.waterboards.ca.gov/centralvalley/water_issues/basin_plans/index.shtml) ([http://www.waterboards.ca.gov/centralvalley/water\\_issues/basin\\_plans/index.shtml](http://www.waterboards.ca.gov/centralvalley/water_issues/basin_plans/index.shtml)).

**303(d) List of Water Quality Limited Segments:** The wetlands adjacent to Interstate 5 (I-5) is the receiving water for the SAC 5 Auxiliary Lanes (Phase 1) Project. The wetlands adjacent to I-5 are not listed on the 303(d) list. The most recent list of approved water quality limited segments is found on the State Water Resources Control Board's [Impaired Water Bodies webpage](http://www.waterboards.ca.gov/water_issues/programs/tmdl/integrated2012.shtml) ([http://www.waterboards.ca.gov/water\\_issues/programs/tmdl/integrated2012.shtml](http://www.waterboards.ca.gov/water_issues/programs/tmdl/integrated2012.shtml)).

**Project Description:** The approximately 300-acre SAC 5 Auxiliary Lanes (Phase 1) Project (Project) is located on Interstate 5 (I-5) from Arena Blvd. at post mile (PM) 27.60 to the Sacramento River bridge at PM 34.3.

Project activities include constructing auxiliary lanes and widening the roadway within the existing I-5 shoulders and Caltrans right-of-way. There will be no work on the Sacramento River Bridge. Culverts will be extended where the roadway is widened to accommodate increased stormwater flow from impervious surface. The Project will result in approximately 374,616 square feet increase in impervious area. To compensate for the increase in impervious area, biofiltration swales will be installed adjacent to I-5.

No dewatering will occur within the Project area. No wet concrete will be placed into the wetlands. The Project will permanently impact 0.15 acres of fresh emergent marsh and forested wetlands due to the placement of fill to accommodate roadway widening.

**Preliminary Water Quality Concerns:** Construction activities may impact surface waters with increased turbidity.

**Proposed Mitigation to Address Concerns:** The Applicant will implement Best Management Practices to control sedimentation and erosion. This Certification requires all work to be conducted during periods of no flow. In the event that project activities result in any materials reaching surface waters or unanticipated in-water work occurs, the Applicant will conduct turbidity testing. During this testing, the Applicant will stop work if Basin Plan criteria are exceeded or observations indicate an exceedance of a water quality objective.

**Excavation/Fill Area:** Approximately 100 cubic yards of fill material will be placed into 0.15 acre of waters of the United States.

**California Integrated Water Quality System Impact Data:** The Project will permanently impact 0.15 acre/1041 linear feet of wetland habitat from fill activities.

**Table 2: Total Project Fill/Excavation Permanent Physical Loss of Area Impact Quantity**

<b>Aquatic Resource Type</b>	<b>Acres</b>	<b>Cubic Yards</b>	<b>Linear Feet</b>
Wetland	0.15	100	1,041

**United States Army Corps of Engineers File Number:** SPK-2021-00426

**United States Army Corps of Engineers Permit Type:** Nationwide Permit #14

**California Department of Fish and Wildlife Lake or Streambed Alteration Agreement:** Not required for this project.

**Possible Listed Species:** None

**Status of CEQA Compliance:** The California Department of Transportation is the Lead Agency responsible for compliance with the California Environmental Quality Act for the SAC 5 Auxiliary Lanes (Phase 1) Project pursuant to Section 21000 et seq. of the Public Resources Code. The California Department of Transportation approved a Notice of Exemption with the State Clearinghouse on 3 May 2021 (SCH No. 2021050066).

The Central Valley Water Board has determined that this project meets the Categorical Exemption, under Section 15301 of the California Code of Regulations, which exempts minor alterations to existing facilities. The Central Valley Water Board will file a Notice of Exemption with the State Clearinghouse within five (5) days of the date of this Certification.

**Compensatory Mitigation:** To mitigate for the loss of 0.15 acre of wetland habitat, the Applicant shall purchase a minimum of 0.15 acre of wetland creation mitigation credits from a United States Army Corps of Engineers approved mitigation bank, or mitigate as otherwise required by the United States Army Corps of Engineers for the impacted watershed prior to commencing construction. The Applicant shall provide evidence of all off-site compensatory mitigation to the Central Valley Water Board. At a minimum, compensatory mitigation must achieve a ratio of 1:1 for permanent impacts.

Evidence of this purchase shall be provided to the Central Valley Water Board prior to proceeding with the activity authorized by this Certification.

Evidence of compliance with compensatory mitigation requirements includes providing a letter from the approved compensatory mitigation bank or in-lieu fee recipient. The letter must: a) be on the compensatory mitigation bank's letterhead; b) be signed by an authorized representative of the compensatory mitigation bank recipient; 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.



**Table 3: Compensatory Mitigation for Permanent Physical Loss of Area by Method** [Establishment (Est.), Re-establishment (Re-est.), Rehabilitation (Reh.), Enhancement (Enh.), Preservation (Pres.), Unknown]

<b>Aquatic Resource Type</b>	<b>Mitigation Type</b>	<b>Units</b>	<b>Est.</b>	<b>Re-est.</b>	<b>Reh.</b>	<b>Enh.</b>	<b>Pres.</b>	<b>Unknown</b>
Wetland	MB	Acres						0.15

**Application Fee Provided:** \$2,762.00 was received on 4 October 2021.

The fee amount was determined as required by California Code of Regulations, title 23, sections 3833(b)(3) and 2200(a)(3) and was calculated as category A - Fill & Excavation Discharges (fee code 84) with the dredge and fill fee calculator.

**DISTRIBUTION LIST**

Marc Fugler (SPK-2021-00426)  
United States Army Corps of Engineers  
Sacramento District Headquarters  
Regulatory Division  
SPKRegulatoryMailbox@usace.army.mil

Stephanie Tadlock  
Unit Supervisor  
Central Valley Regional Water Quality Control Board, Sacramento Office  
Stephanie.Tadlock@waterboards.ca.gov

Bill Jennings  
CA Sportfishing Protection Alliance  
DeltaKeep@me.com

CWA Section 401 WQC Program  
Division of Water Quality  
State Water Resources Control Board  
Stateboard401@waterboards.ca.gov

United States Environmental Protection Agency  
R9CWA401@epa.gov

Kelli Angell  
California Department of Transportation  
kelli.angell@dot.ca.gov



**Figure 1 – Project Location Map**



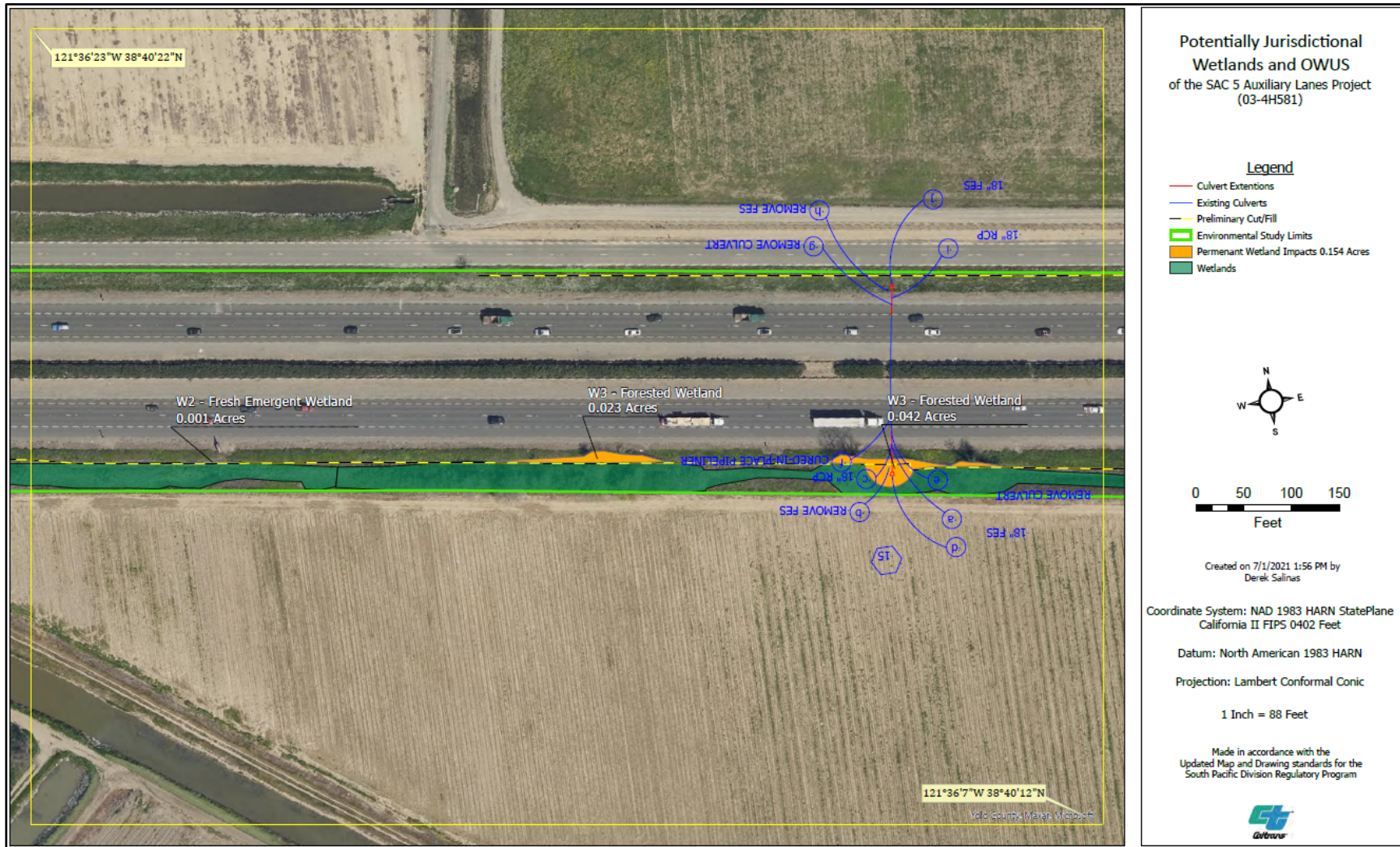


Figure 2 – Impacts to Aquatic Resources Map





Figure 3 – Impacts to Aquatic Resources Map



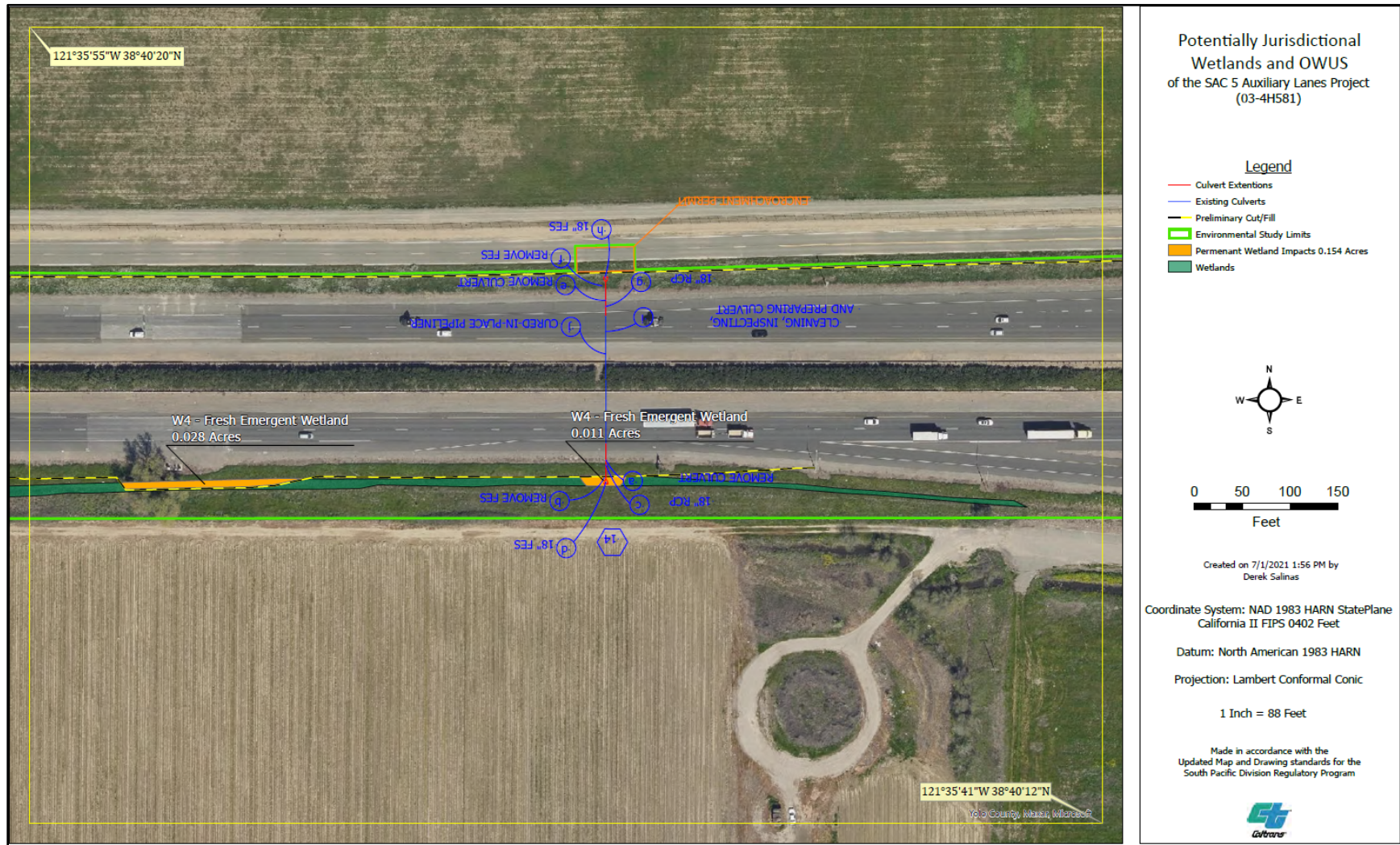


Figure 4 – Impacts to Aquatic Resources Map



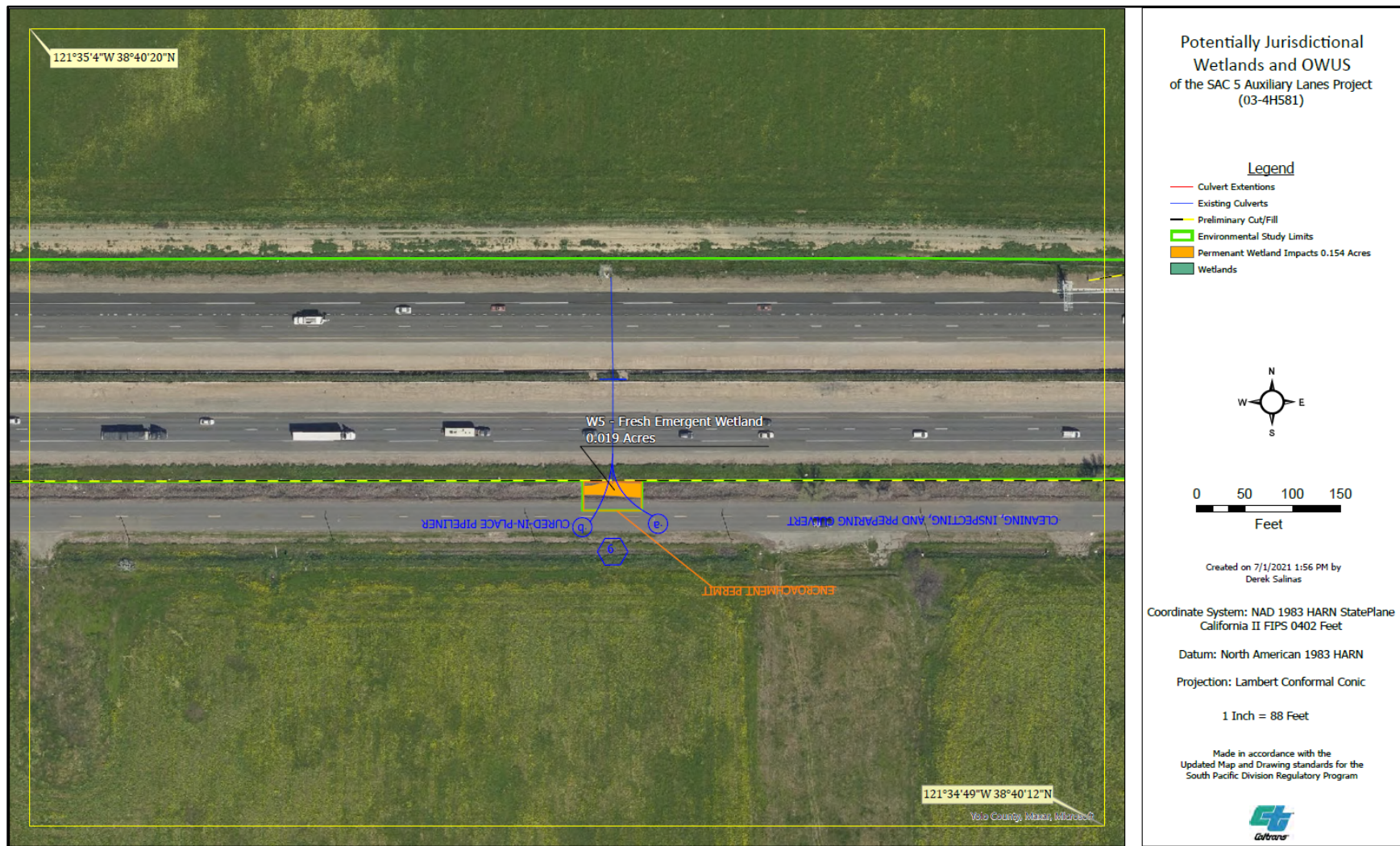


Figure 5 – Impacts to Aquatic Resources Map



