

## Central Valley Regional Water Quality Control Board

9 May 2025

Timothy Degraff  
Liberty Island Holdings II, Inc  
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### **ORDER AMENDING CLEAN WATER ACT SECTION 401 TECHNICALLY CONDITIONED WATER QUALITY CERTIFICATION; LIBERTY ISLAND HOLDINGS II, INC, NORTH DELTA LIBERTY ISLAND II FISH CONSERVATION BANK PROJECT (WDID# 5A57CR00198A2), YOLO COUNTY**

This Order responds to the 11 April 2025 request for an amendment of the North Delta Liberty Island II Fish Conservation Bank Project (Project) Section 401 Water Quality Certification (WDID#5A57CR00198). The original Water Quality Certification (Certification) was issued on 25 August 2021. The Certification was amended on 28 June 2024. The requested second amendment is hereby approved. The original Certification is therefore amended as described below. Please attach this document to the original Certification.

#### **AMENDMENT:**

Liberty Island Holdings II, Inc is requesting a change in the project description. The updated project description will reduce project related impacts and includes onsite riparian restoration proposed as mitigation to offset project related impacts to riparian habitat. The project will create and enhance 811.21 acres of habitat for Delta native fish species within the Yolo Bypass by removing sections of the levee to allow for increased tidal action, creating and restoring tidal marsh complex, removing an existing non-functioning water control structure and culvert, and revegetating native marsh vegetation within 32.00 acres. Riparian restoration is proposed within up to 16.09 additional acres. A total of 784.25 acres (94%) (763.11 acres with North Delta Fish Conservation Bank and 21.14 acres within Liberty Conservation Bank) will be preserved (avoided) as part of the Project implementation.

Liberty Island Holdings II, Inc is requesting a change of the aquatic construction date. The original certificate states Aquatic construction activities will be performed outside of the Delta smelt spawning period (1 December to 31 July). The revised date construction activities will occur is (1 May to 1 October).

Liberty Island Holdings II, Inc has provided documentation from the United States Army

NICHOLAS AVDIS, CHAIR | PATRICK PULUPA, EXECUTIVE OFFICER

Corps of Engineers (SPK-2010-00755) authorizing in-water construction activities to continue until 24 August 2026.

**Table 1: Original Total Project Fill/Excavation Quantity for Temporary Impacts**

<b>Aquatic Resources Type</b>	<b>Acres</b>	<b>Cubic Yards</b>	<b>Linear Feet</b>
Riparian Zone	0.02	1,625	126
Stream Channel	0.31		507
Wetland	0.17	800	584

**Table 2: Original Total Project Fill/Excavation Quantity for Permanent Impacts**

<b>Aquatic Resources Type</b>	<b>Acres</b>	<b>Cubic Yards</b>	<b>Linear Feet</b>
Riparian Zone	1.52	3,000	3,679
Stream Channel	2.57	6,600	5,913
Wetland	15.19	75,000	7,475

**Table 3: Revised Total Project Fill/Excavation Quantity for Temporary Impacts**

<b>Aquatic Resources Type</b>	<b>Acres</b>	<b>Cubic Yards</b>	<b>Linear Feet</b>
Riparian Zone	0.428	676	2,646
Stream Channel	0.009	17	57
Wetland	3.364	6,859	31,073

**Table 4: Revised Total Project Fill/Excavation Quantity for Permanent Impacts**

<b>Aquatic Resources Type</b>	<b>Acres</b>	<b>Cubic Yards</b>	<b>Linear Feet</b>
Riparian Zone	2.714	7,879	7,393
Stream Channel	1.857	302	4,787
Wetland	14.313	183,494	38,163

**APPLICATION FEE RECEIVED:**

\$1,123.00 was required for this amendment. The fee amount was determined as required by California Code of Regulations, title 23, sections 3383(b)(3) and 2200(a)(3), as was calculated as category D - Ecological Restoration and Enhancement Projects (fee code 85) with the dredge and fill fee calculator.

**CENTRAL VALLEY REGIONAL WATER QUALITY CONTROL BOARD CONTACT:**

Sara Gevorgyan, Environmental Scientist  
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**PUBLIC NOTICE:**

The Central Valley Water Board provided public notice of the application pursuant to California Code of Regulations, title 23, section 3858 from 2 May 2025 to 23 May 2025. The Central Valley Water Board did not receive any comments during the comment period.

**WATER QUALITY CERTIFICATION:**

I hereby issue an Order amending the existing Clean Water Act, Section 401 Technically Conditioned Water Quality Certification for the North Delta Liberty Island II Fish Conservation Bank Project (WDID# 5A57CR00198A2). 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 Anne Walters:*  
Patrick Pulupa  
Executive Officer

Attachment: Figure 1 – Project Location Map

cc: Distribution List, page 4

**DISTRIBUTION LIST**  
**Via email only**

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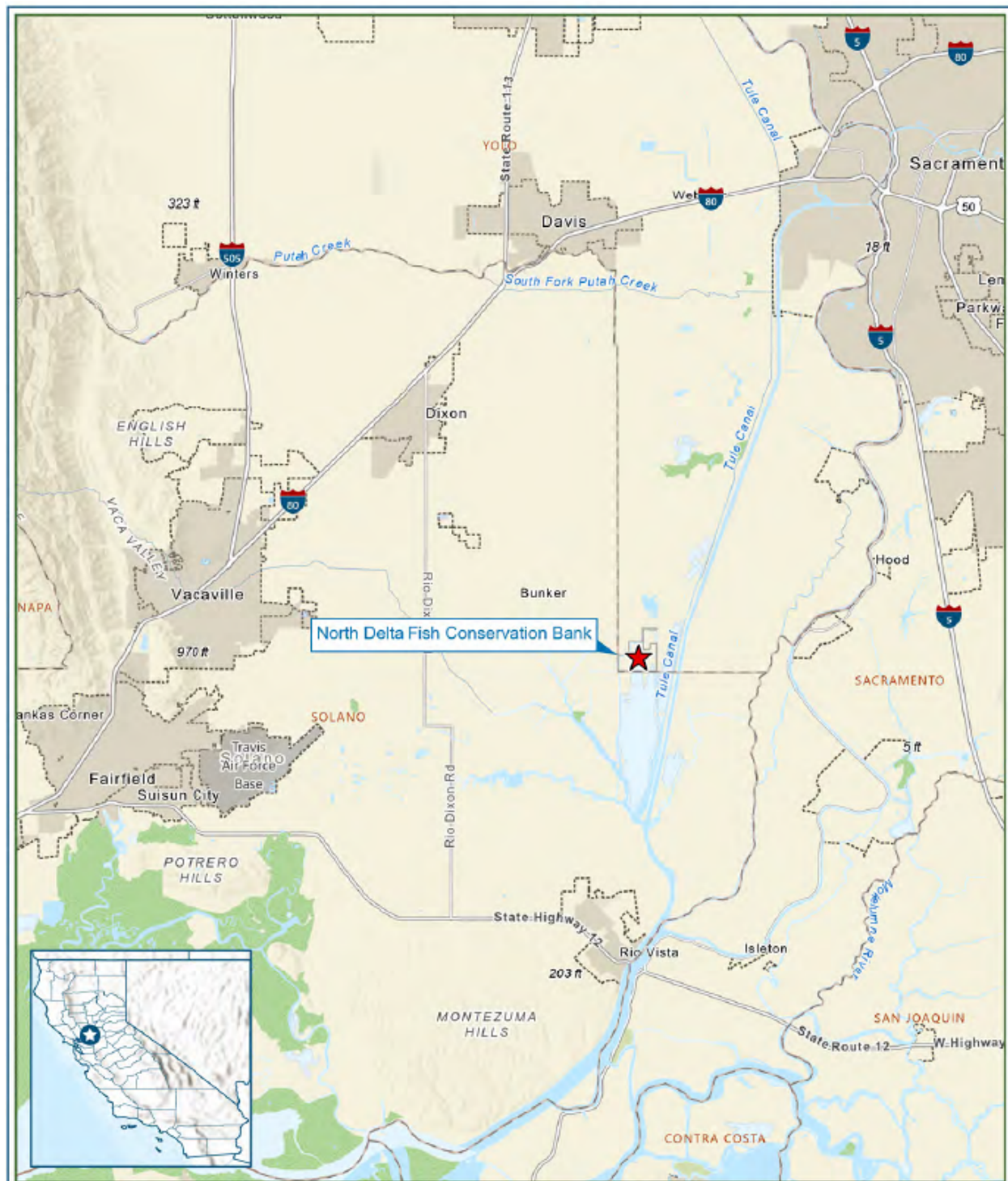
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Figure 1- Project Location Map



**Figure 1**  
Project Vicinity  
**North Delta Fish Conservation Bank**  
Yolo County, California  
121.7657°W 38.3532°N



Data Source: Basemap Esri 2020  
Spatial Reference:  
NAD 1983 2011 StatePlane California II FIPS 5402 Ft US  
Date Exported: 6/13/2024  
Project Number: 109633

