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## Central Valley Regional Water Quality Control Board

13 October 2020

Cameron Knudson  
California Department of Transportation  
703 B Street  
Marysville, CA 95901

### **ORDER AMENDING CLEAN WATER ACT SECTION 401 WATER QUALITY CERTIFICATION AND ORDER; CALIFORNIA DEPARTMENT OF TRANSPORTATION, STATE ROUTE 70 FROM YUBA PM 25.5/25.8 AND BUTTE PM 0.0/4.0 (03-3H930) PROJECT (WDID NO. 5A04CR00314A1), BUTTE AND YUBA COUNTIES**

This Order responds to the 2 October 2020 request for an amendment of the State Route 70 from Yuba PM 25.5/25.8 and Butte PM 0.0/4.0 (03-3H930) Section 401 Water Quality Certification (WDID No. 5A04CR00314). The original Water Quality Certification (Certification) was issued on 21 July 2020. The requested amendment is hereby approved, and the original Certification is therefore amended as described below. Please attach this document to the original Certification.

#### **AMENDMENT:**

California Department of Transportation, District 3 is requesting an amendment to the Section 401 Water Quality Certification and Order to change the required compensatory mitigation from Bullock Bend Mitigation Bank to a United States Army Corps of Engineers approved mitigation bank or in-lieu fee program or another mechanism approved by the Central Valley Water Board. Therefore, Section XIV.K.2; Section XIV, Table 4; and Attachment B, Table 4 and Table 5 are amended. Table 5 has been added to Section XIV and Table 6 has been added to Attachment B in underline format below.

#### **XIV.K Compensatory Mitigation for Permanent impacts:**

##### **2. Total Required Compensatory Mitigation**

- a. The Permittee is required to provide compensatory mitigation for the authorized impact to 1.91 acres of stream channel by purchasing 1.91 stream channel credits from a United States Army Corps of Engineers approved mitigation bank or 3.82 aquatic resource credits from a United States Army Corps of Engineers approved In-Lieu Fee Program.

- b. The Permittee is required to provide compensatory mitigation for the authorized impact to 0.09 acre of wetlands by purchasing 0.09 wetland credits from a United States Army Corps of Engineers approved mitigation bank or 0.18 aquatic resource credits from a United States Army Corps of Engineers approved In-Lieu Fee Program.
- c. Total required Project compensatory mitigation information for permanent physical loss of area is summarized in Table 4 and/or Table 5.  
 [Establishment (Est.), Re-establishment (Re-est.), Rehabilitation (Reh.), Enhancement (Enh.), Preservation (Pres.), Unknown].

**Table 4: Total Required Project Compensatory Mitigation Quantity for Permanent Physical Loss of Area (If purchased from a Mitigation Bank)**

<u>Aquatic Resource Type</u>	<u>Mitigation Type</u>	<u>Units</u>	<u>Est.</u>	<u>Re-est.</u>	<u>Reh.</u>	<u>Enh.</u>	<u>Pres.</u>	<u>Unknown</u>
<u>Stream Channel</u>	Mitigation Bank Credits	Acres		1.91				
<u>Wetland</u>	Mitigation Bank Credits	Acres		0.09				

**Table 5: Total Required Project Compensatory Mitigation Quantity for Permanent Physical Loss of Area (If purchased from an In-Lieu Fee program)**

<u>Aquatic Resource Type</u>	<u>Mitigation Type</u>	<u>Units</u>	<u>Est.</u>	<u>Re-est.</u>	<u>Reh.</u>	<u>Enh.</u>	<u>Pres.</u>	<u>Unknown</u>
<u>Stream Channel Habitat</u>	<u>Mitigation Bank Credits</u>	<u>Acres</u>						<u>3.82</u>
<u>Wetland Habitat</u>	<u>Mitigation Bank Credits</u>	<u>Acres</u>						<u>0.18</u>

**Attachment B**

**Compensatory Mitigation Information**

The following table(s) show individual compensatory mitigation information and locations depending on the type of mitigation program used.

**Compensatory Mitigation Information**

**Table 4: Mitigation Bank or In-Lieu Fee program**

Mitigation Bank <u>or In-Lieu Fee Program</u> Name:	<u>United States Army Corps of Engineers approved mitigation bank or In-Lieu Fee Program</u>
Website:	
Mitigation Bank <u>or in-Lieu Fee Program</u> Contact Name:	
Phone:	
Email:	
Mitigation Location - County:	
Latitude:	
Longitude:	

**Table 5: Mitigation Bank Credit Type Information**

Aquatic Resource Credit Type	Acres	Linear Feet	Number of Credits Purchased
<u>Stream Channel</u>	1.91		Not Yet Purchased
<u>Wetland</u>	0.09		Not Yet Purchased

**Table 6: In-Lieu Fee Program Credit Type Information**

<u>Aquatic Resource Credit Type</u>	<u>Acres</u>	<u>Linear Feet</u>	<u>Number of Credits Purchased</u>
<u>Stream Channel</u>	<u>3.92</u>		<u>Not Yet Purchased</u>
<u>Wetland</u>	<u>0.18</u>		<u>Not Yet Purchased</u>

**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 State Route 70 from Yuba PM 25.5/25.8 and Butte PM 0.0/4.0 (03-3H930) Project (WDID No. 5A04CR00314A1). All other conditions and provisions of the original Water Quality Certification 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 Clint Snyder for*  
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PATRICK PULUPA, Executive Officer  
Central Valley Regional Water Quality Control Board

10/13/2020  
Date

DLW: db

cc

via email: Sam Ziegler, U.S. EPA, Region 9, San Francisco  
Water Quality Certification Program, SWRCB, Sacramento  
Hanna Harrell, California Department of Transportation, Marysville  
Anna Kluge, California Department of Transportation, Marysville