

## Central Valley Regional Water Quality Control Board

19 April 2022

Tracy Bettencourt  
City of Chico  
P.O. Box 3420  
Chico, CA 95927

### **ORDER AMENDING CLEAN WATER ACT SECTION 401 WATER QUALITY CERTIFICATION AND ORDER; CITY OF CHICO, BRUCE ROAD RECONSTRUCTION PROJECT (WDID NO. 5A04CR00326A1), BUTTE COUNTY**

This Order responds to the 10 March 2022 request for an amendment of the Bruce Road Reconstruction Project Section 401 Water Quality Certification (WDID No. 5A04CR00326). The original Water Quality Certification (Certification) was issued on 29 January 2021. 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:**

City of Chico is requesting an amendment to the Section 401 Water Quality Certification and Order to update the wetland and vernal pool impacts and compensatory mitigation proposal due to a revised delineation report approved by the U.S. Army Corps of Engineers. Vernal pool impacts have decreased from 0.074 acre to 0.037 acre and wetland impacts have increased from 0.041 acre to 0.11 acre. Therefore, Section VII Table 1; Section XIV.K.2, Total Required Compensatory Mitigation and Table 3; Attachment B: Individual Direct Impact Locations Table 2; and Attachment B: Compensatory Mitigation Information Tables 4, 5, and 6 are amended in underline format below.

- VII. Description of Direct Impacts to Waters of the State**

**Table 1: Total Project Fill/Excavation Quantity for Permanent Physical Loss of Area Impacts**

<b>Aquatic Resources Type</b>	<b>Acres</b>	<b>Cubic Yards</b>	<b>Linear Feet</b>
Riparian Zone	0.011	90	65
Stream Channel	0.038	183	137
Vernal Pool	<u>0.037</u>	<u>50</u>	<u>118</u>
Wetland	<u>0.11</u>	<u>168</u>	<u>510</u>

• **XIV.K.2 Total Required Compensatory Mitigation**

- a. The Permittee is required to provide compensatory mitigation for the authorized impact to 0.011 acre of riparian wetland by purchasing 0.01 acre of riverine riparian reestablishment credits at Bullock Bend Mitigation Bank.
- b. The Permittee is required to provide compensatory mitigation for the authorized impact to 0.038 acre of stream channel by purchasing 0.04 acre of riverine riparian reestablishment credits at Bullock Bend Mitigation Bank.
- c. The Permittee is required to provide compensatory mitigation for the authorized impact to 0.037 acre of vernal pool by purchasing 0.12 acre of seasonal wetland credits at Colusa Basin Mitigation Bank.
- d. The Permittee is required to provide compensatory mitigation for the authorized impact to 0.11 acre of wetland by purchasing 0.22 acre of seasonal wetland creation credits at Colusa Basin Mitigation Bank.
- e. Total required Project compensatory mitigation information for permanent physical loss of area is summarized in Table 3. [Establishment (Est.), Re-establishment (Re-est.), Rehabilitation (Reh.), Enhancement (Enh.), Preservation (Pres.), Unknown].

**Table 3: Total Required Project Compensatory Mitigation Quantity for Permanent Physical Loss of Area**

Aquatic Resource Type	Mitigation Type	Units	Est.	Re-est.	Reh.	Enh.	Pres.	Unknown
Riparian Zone	Mitigation Bank Credits	Acres		<u>0.05</u>				
Wetland	Mitigation Bank Credits	Acres	<u>0.34</u>					

- **Attachment B**

**Individual Direct Impact Locations**

The following tables show individual impacts.

**Table 2: Individual Permanent Fill/Excavation Impact Information**

Impact Site ID	Latitude	Longitude	Indirect Impact Requiring Mitigation?	Acres	Cubic Yards	Linear Feet
Bruce Road Reconstruction - Stream (OW01)	39.7333	-121.7870	No	0.038	183	137
Bruce Road Reconstruction – Vernal Pool (WF026)	39.7360	-121.7874	No	<u>0.031</u>	40.2	<u>55</u>
Bruce Road Reconstruction – <u>Wetland</u> (WF029)	39.7355	-121.7874	No	<u>0.026</u>	33.7	<u>91</u>
Bruce Road Reconstruction – Wetland (15)	39.7245	-121.7873	No	0.003	4.5	<u>24</u>
Bruce Road Reconstruction – Wetland (16)	39.7245	-121.7872	No	0.003	4.8	<u>32</u>
Bruce Road Reconstruction – Wetland (51)	39.7231	-121.7872	No	0.004	6.7	<u>44</u>
Bruce Road Reconstruction – <u>Wetland</u> (262)	39.7224	-121.7872	No	0.023	37.1	<u>87</u>
Bruce Road Reconstruction – Wetland (483)	39.7226	-121.7863	No	0.015	24.0	<u>72</u>
Bruce Road Reconstruction - Wetland (484)	39.7214	-121.7881	No	<u>0.016</u>	26.7	<u>67</u>
Bruce Road Reconstruction – <u>Wetland</u> (585)	39.7258	-121.7872	No	0.002	2.8	<u>19</u>

Impact Site ID	Latitude	Longitude	Indirect Impact Requiring Mitigation?	Acres	Cubic Yards	Linear Feet
Bruce Road Reconstruction – Vernal Pool (NJW01)	39.7403	-121.7903	No	<u>0.003</u>	6.0	<u>40</u>
Bruce Road Reconstruction – Riparian Wetland (WF01)	39.7335	-121.7878	No	0.011	90.5	65
<u>Bruce Road Reconstruction – Vernal Pool (WF05)</u>	<u>39.735735</u>	<u>-121.787470</u>	<u>No</u>	<u>0.003</u>	<u>4.5</u>	<u>23</u>
<u>Bruce Road Reconstruction – Wetland (WF06)</u>	<u>39.735735</u>	<u>-121.787470</u>	<u>No</u>	<u>0.011</u>	<u>17.7</u>	<u>46</u>
<u>Bruce Road Reconstruction – Wetland (WF11)</u>	<u>39.716933</u>	<u>-121.787527</u>	<u>No</u>	<u>0.007</u>	<u>10.6</u>	<u>28</u>

**Compensatory Mitigation Information**

The following table(s) show individual compensatory mitigation information and locations.

**Table 4: Mitigation Type Information**

Aquatic Resource Credit Type	Acres	Linear Feet	Number of Credits Purchased
Riverine Riparian Re-establishment	<u>0.05</u>		Not Yet Purchased

**Table 5: Mitigation Bank**

Mitigation Bank Name:	<u>Colusa Basin Mitigation Bank</u>
Website:	<a href="http://www.wesmitigation.com">Westervelt Ecological Services - WES (wesmitigation.com)</a> (www.wesmitigation.com)
Mitigation Bank Contact Name:	Travis Hemmen
Phone:	916-646-3644
Email:	N/A
Mitigation Location - County:	<u>Colusa County</u>
Latitude:	<u>39.1112°</u>
Longitude:	<u>-121.0218°</u>

**Table 6: Mitigation Type Information**

Aquatic Resource Credit Type	Acres	Linear Feet	Number of Credits Purchased
Seasonal Wetland Creation	<u>0.34</u>		Not Yet Purchased

**CENTRAL VALLEY WATER BOARD CONTACT:**

Katie Gilman  
364 Knollcrest Drive, Suite 205  
Redding, CA 96002  
[Katie.Gilman@waterboards.ca.gov](mailto:Katie.Gilman@waterboards.ca.gov)  
(530) 224-4845

**WATER QUALITY CERTIFICATION:**

I hereby issue an Order amending the existing Clean Water Act Section 401 Water Quality Certification and Order for the Bruce Road Reconstruction Project (WDID No. 5A04CR00326A1). 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 E. Snyder, P.G. for  
PATRICK PULUPA, Executive Officer  
Central Valley Regional Water Quality Control Board

4/19/2022  
Date

KAG: db

cc

via email: U.S. EPA, Region 9, San Francisco  
Water Quality Certification Program, SWRCB, Sacramento  
Hillary Kraft, U.S. Army Corps of Engineers, Redding  
Juan Torres, California Department of Fish and Wildlife, Region 2,  
Rancho Cordova