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## Central Valley Regional Water Quality Control Board

10 March 2022

Michael P. Jackson  
Bureau of Reclamation  
1243 N Street  
Fresno, CA 93721

### **ORDER AMENDING CLEAN WATER ACT SECTION 401 TECHNICALLY CONDITIONED WATER QUALITY CERTIFICATION; BUREAU OF RECLAMATION, FRIANT-KERN CANAL MIDDLE REACH CAPACITY CORRECTION PROJECT (WDID NO. 5C54CR00113A1), TULARE COUNTY**

This Order responds to the 15 February 2022 request for an amendment of the Friant-Kern Canal Middle Reach Capacity Correction (Project) Section 401 Water Quality Certification (WDID No. 5C54CR00113). The original Water Quality Certification (Certification) was issued on 7 April 2021. The requested amendment is hereby approved. The original Certification is therefore amended as described below. Please attach this document to the original Certification.

This amendment is not valid until and unless an amendment to the Section 404 Permit with equivalent modifications is approved by the United States Army Corps of Engineers (USACE) or it is otherwise determined by USACE that an amendment of the 404 Permit is unnecessary.

#### **AMENDMENT:**

#### **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 0.03 acre of stream channel by purchasing 0.06 Aquatic Resource Credits in the Kern River 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.
- b. The Permittee is required to provide compensatory mitigation for the authorized impact to 0.77 acre of wetland by purchasing 1.54 Aquatic Resource Credits in the Kern River 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.

- c. Total required Project compensatory mitigation information for permanent physical loss of area is summarized in Table 5. [Establishment (Est.), Re-establishment (Re-est.), Rehabilitation (Reh.), Enhancement (Enh.), Preservation (Pres.), Unknown].

**Table 5: Total Required Project Compensatory Mitigation Quantity for Permanent Physical Loss of Area**

<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>
Stream Channel	In-Lieu Fee Credits	Acres						<u>0.06</u>
Wetland	In-Lieu Fee Credits	Acres						<u>1.54</u>

**Compensatory Mitigation Information**

The following table(s) show individual compensatory mitigation information and locations. Mitigation bank requirements are subject to approval from the Army Corps of Engineers Sacramento District.

**Mitigation Bank Compensatory Mitigation Site Information**

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

Aquatic Resource Credit Type	Acres	Linear Feet	Number of Credits to Purchase
Stream Channel	0.03		<u>0.06</u>
Wetland	0.77		<u>1.54</u>

**In-Lieu Fee or Mitigation Bank Compensatory Mitigation Information**

**Table 7: Mitigation Type Information for In-Lieu Fee Program**

Aquatic Resource Credit Type	Watershed Service Area	Acres	Linear Feet	Number of Credits to Purchase
Stream Channel	Kern River	0.03		<u>0.06</u>
Wetland	Kern River	0.77		<u>1.54</u>

**APPLICATION FEE RECEIVED:**

No fee was required for this amendment. No fees are required for federal agency projects.

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

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**WATER QUALITY CERTIFICATION:**

I hereby issue an Order amending the existing Clean Water Act, Section 401 Technically Conditioned Water Quality Certification for the Friant-Kern Canal Middle Reach Capacity Correction Project (WDID#5C54CR00113A1). 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 Clay L. Rodgers for:*  
Patrick Pulupa  
Executive Officer

cc via email:

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*ccs Continued Next Page:*

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