
Central Valley Regional Water Quality Control Board

25 August 2022

Tom Fossum
Butte County Public Works
7 County Center Drive
Oroville, CA 95965

ORDER AMENDING CLEAN WATER ACT SECTION 401 WATER QUALITY CERTIFICATION AND ORDER; BUTTE COUNTY PUBLIC WORKS, ORD FERRY ROAD AT LITTLE CHICO CREEK BRIDGE REPLACEMENT PROJECT (WDID NO. 5A04CR00305A1), BUTTE COUNTY

This Order responds to the 10 August 2022 request for an amendment of the Ord Ferry Road at Little Chico Creek Bridge Replacement Project Section 401 Water Quality Certification (WDID No. 5A04CR00305). The original Water Quality Certification (Certification) was issued on 6 September 2019. The requested amendment is hereby approved. The original Certification is therefore amended as described below. Please attach this document to the original Certification.

AMENDMENT:

Butte County Public Works is requesting an amendment to the Section 401 Water Quality Certification and Order to update the compensatory mitigation requirements due to a change in availability of credits. Therefore, Section XII.K.2 and Attachment B, Table 3 are amended in underline format below. In addition, Attachment B, Table 4 has been added.

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 0.01 acre of Jurisdictional Wetland by purchasing 0.01 Aquatic Resource Credit from National Fish and Wildlife Foundation's Sacramento District California In-Lieu Fee Program in the Northeast Sacramento River Watershed Service Area.
- b. The Permittee is required to provide compensatory mitigation for the authorized impact to 0.04 acre of Riparian habitat by purchasing 0.04 Aquatic Resource Credit from National Fish and Wildlife Foundation's

Sacramento District California In-Lieu Fee Program in the Northeast Sacramento River Watershed Service Area.

- c. The Permittee is required to provide compensatory mitigation for the authorized impact to 0.02 acre of Streambed by purchasing 0.02 Aquatic Resource Credit from National Fish and Wildlife Foundation's Sacramento District California In-Lieu Fee Program in the Northeast Sacramento River Watershed Service Area.
- d. Total required Project compensatory mitigation information for permanent physical loss of area is summarized in Table 3.

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

<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>Aquatic Resource Credit</u>	<u>In-Lieu Fee Credits</u>	<u>Credit</u>						<u>0.07</u>

Attachment B

In-Lieu Fee Compensatory Mitigation Information

Table 3: In-Lieu Fee Program

<u>In-Lieu Fee Program Name:</u>	<u>National Fish and Wildlife Foundation (NFWF)'s Sacramento District California In-Lieu Fee Program</u>
<u>Website:</u>	Sacramento District California In-Lieu Fee Program NFWF (https://www.nfwf.org/mitigating-impacts/sacramento-district-california-lieu-fee-program)
<u>In-Lieu Fee Program Contact Name:</u>	<u>Heather Hoyles</u>
<u>Phone:</u>	<u>(415) 243-3105</u>
<u>Email:</u>	heather.hoyles@nfwf.org
<u>In-Lieu Fee Program Location - County:</u>	<u>Northeast Sacramento River Watershed Service Area</u>
<u>Latitude:</u>	Not Applicable
<u>Longitude:</u>	Not Applicable

Table 4: Mitigation Type Information

<u>Aquatic Resource Credit Type</u>	<u>Acres</u>	<u>Linear Feet</u>	<u>Number of Credits Purchased</u>
<u>Aquatic Resource Credit</u>	<u>0.07</u>		<u>Not Yet Purchased</u>

CENTRAL VALLEY WATER BOARD CONTACT:

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WATER QUALITY CERTIFICATION:

I hereby issue an Amendment of existing Clean Water Act Section 401 Water Quality Certification and Order for Ord Ferry Road at Little Chico Creek Bridge Replacement Project (WDID No. 5A04CR00305A1). 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 Clint Snyder
(for) PATRICK PULUPA, Executive Officer
Central Valley Regional Water Quality Control Board

8/25/2022
Date

DLW: db

cc
via email: U.S. EPA, Region 9, San Francisco
Water Quality Certification Program, SWRCB, Sacramento
Kevin Sevier, Gallaway Enterprises, Chico