
Central Valley Regional Water Quality Control Board

8 November 2024

Joe Livaich
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**ORDER AMENDING CLEAN WATER ACT SECTION 401 TECHNICALLY
CONDITIONED WATER QUALITY CERTIFICATION; BUZZ OATES
CONSTRUCTION, INC., PLACER COMMERCE CENTER PROJECT
(WDID#5A31CR00598A2), PLACER COUNTY**

This Order responds to the 4 September 2024 request for an amendment of the Placer Commerce Center Project (Project) Section 401 Water Quality Certification (WDID#5A31CR00598). The original Water Quality Certification (Certification) was issued on 6 October 2023. The Certification was amended on 23 May 2024. The requested amendment is hereby approved. The original Certification is therefore amended as described below. Please attach this document to the original Certification.

AMENDMENT:

Buzz Oates Construction, Inc. has identified additional adjacent, off-parcel areas along Athens Avenue and North Foothills Boulevard that need to be included in the overall impact area for the Project. The additional areas cover 2.2 acres and will result in additional impacts to 0.02 acre of seasonal wetland swale and 0.03 acre of roadside ditch. All the additional impacts will occur during Phase 1 of the Project. Buzz Oates Construction, Inc. is requesting to amend the certification to cover the additional impact areas.

The Certification is amended as shown below:

Table 1: Total Project Fill/Excavation Quantity for Permanent Impacts¹

Aquatic Resources Type	Acres	Cubic Yards	Linear Feet
Roadside Ditch	0.13	207	4,105
Vernal Pool	4.97	8,013	
Seasonal Wetland	1.25	2,018	
Seasonal Wetland Swale	0.9	1,450	

Total Required Compensatory Mitigation

- a. The Permittee is required to provide compensatory mitigation for the authorized impact to 1.25 acre of seasonal wetland habitat, 0.9 acre of seasonal wetland swale habitat, 4.97 acre of vernal pool habitat, and 0.13 acre of roadside ditch by purchasing 10.89 in lieu fee credits from the Western Placer County In-Lieu Fee Program.
- b. Total required Project compensatory mitigation information for permanent physical loss of area is summarized in Table 3. [Establishment (Est.), Reestablishment (Re-est.), Rehabilitation (Reh.), Enhancement (Enh.), Preservation (Pres.), Unknown].

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

Construction Phase	Aquatic Resource Type	Mitigation Type	Units	Est.	Re-est.	Reh.	Enh.	Pres.	Unknown
Phase 1	Unknown	In-Lieu Fee Credits	Acres						6.83
Phase 2	Unknown	In-Lieu Fee Credits	Acres						2.69
Phase 3	Unknown	In-Lieu Fee Credits	Acres						0.48
Phase 4	Unknown	In-Lieu Fee Credits	Acres						0.14

¹ Includes only temporary direct impacts to waters of the state and does not include area of temporary disturbance which could result in a discharge to waters of the state. Temporary impacts, by definition, are restored to pre-project conditions and therefore do not include a physical loss of area or degradation of ecological condition.

Construction Phase	Aquatic Resource Type	Mitigation Type	Units	Est.	Re-est.	Reh.	Enh.	Pres.	Unknown
Phase 5	Unknown	In-Lieu Fee Credits	Acres						0.75

APPLICATION FEE RECEIVED:

An application fee of \$2,985.00 was received on 23 October 2024 for this amendment. Total fees of \$181,527.00 for the original Certification were received on 19 September 2023. 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 A - Fill & Excavation Discharges (fee code 84) with the dredge and fill fee calculator.

CENTRAL VALLEY REGIONAL WATER QUALITY CONTROL BOARD CONTACT:

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PUBLIC NOTICE:

The Central Valley Water Board provided public notice of the amendment pursuant to California Code of Regulations, title 23, section 3858 from 27 September 2024 to 18 October 2024. 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 Placer Commerce Center Project (WDID#5A31CR00598A2). 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 for:

Patrick Pulupa
Executive Officer

- Attachments: Distribution List
Figure 1 – Additional Impact Areas
Figure 2 – Updated Project Map

DISTRIBUTION LIST
[Via email only]

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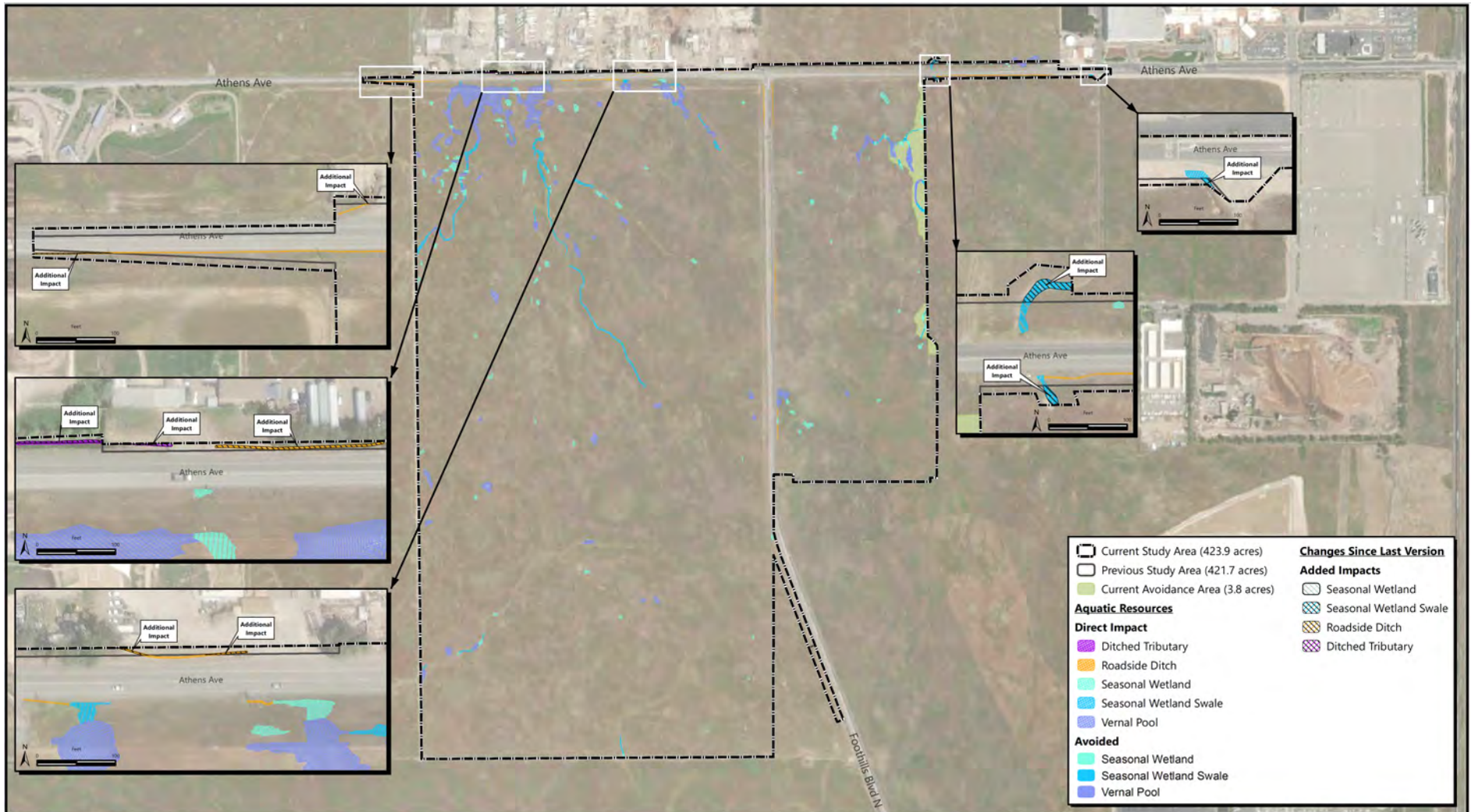
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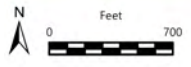
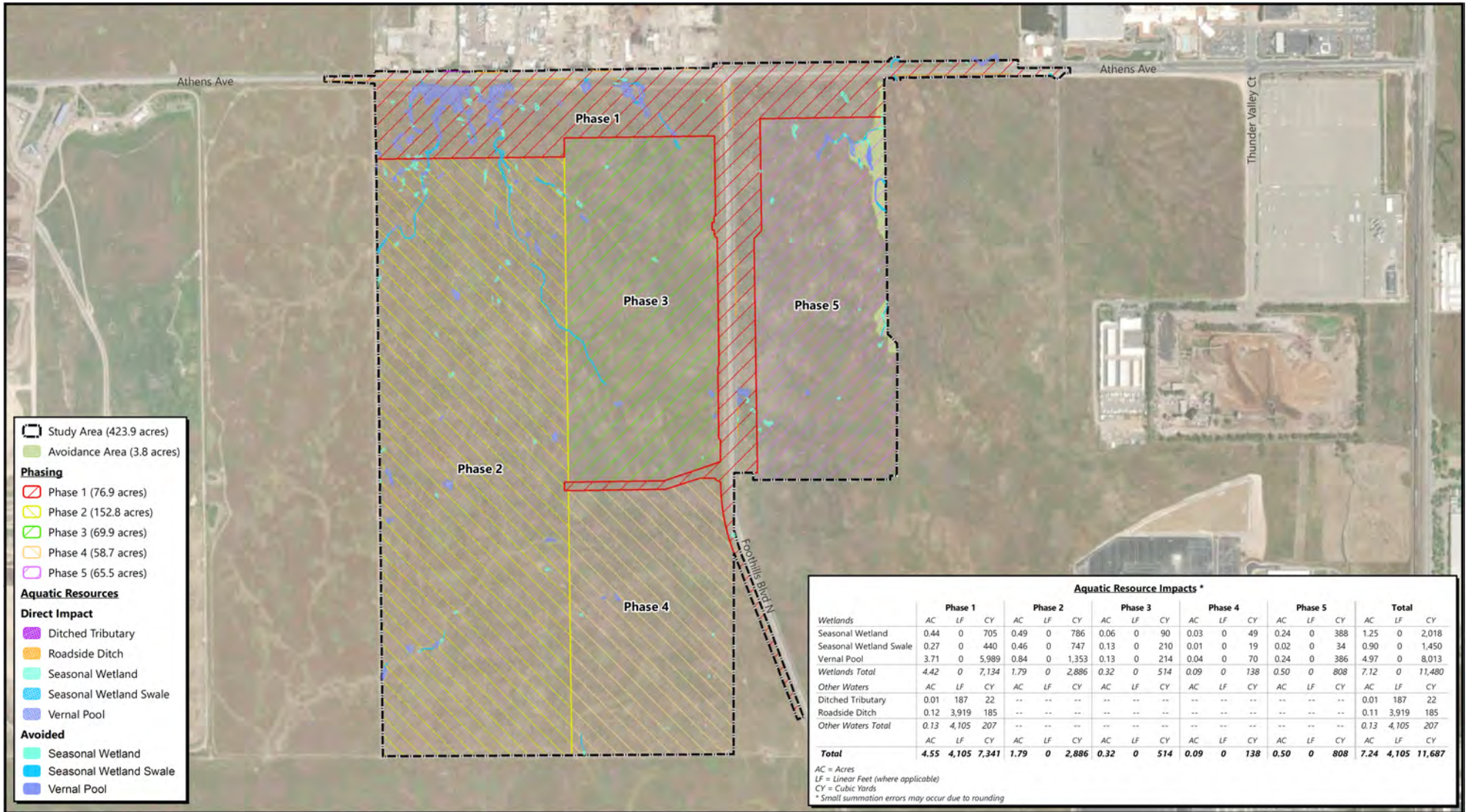
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Figure 1: Additional Impact Areas



Phase Source: Laugenour and Meikle
Aerial Source: Maxar, 26 April 2022

Figure 2: Updated Project Map



Phase Source: Laugenour and Meikle
Aerial Source: Maxar, 26 April 2022
Updated July 2024

Figure 2
Impacts to Aquatic Resources

Placer Commerce Center
Placer County, California