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## Central Valley Regional Water Quality Control Board

27 March 2026

Mitra Emami  
Department of Water Resources  
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### **ORDER AMENDING CLEAN WATER ACT SECTION 401 TECHNICALLY CONDITIONED WATER QUALITY CERTIFICATION; DEPARTMENT OF WATER RESOURCES, SUTTER BYPASS PUMPING PLAN REHABILITATION PROJECT (WDID#5A51CR00122A2), SUTTER COUNTY**

This Order responds to the 10 March 2026 request for an amendment of the Sutter Bypass Pumping Plan Rehabilitation Project (Project) Section 401 Water Quality Certification (WDID#5A51CR00122). The original Water Quality Certification (Certification) was issued on 26 October 2020. The Certification was amended on 12 September 2025. The requested second amendment is hereby approved. The original Certification is therefore amended as described below. Please attach this document to the original Certification.

#### **AMENDMENT:**

The Department of Water Resources is requesting a time extension through 14 March 2027. The time extension was authorized by the United States Army Corps of Engineers in their 28 November 2022 Section 404 permit under the following condition:

*“If you commence or are under contract to commence this activity before the date the NWP is modified, reissued, or revoked, you will have 12 months from the date of the modification, reissuance or revocation to complete the activity under the present terms and conditions.”*

The construction was considered complete until the work was determined to be incorrectly installed according the approved project specifications and part of the project needed to be reconstructed. The time extension will allow the incorrect construction to be corrected and completed.

#### **APPLICATION FEE RECEIVED:**

No fee was required for this amendment. Total fees of \$15,461.00 for the original Certification were received on 3 July 2020. 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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**WATER QUALITY CERTIFICATION:**

I hereby issue an Order amending the existing Clean Water Act, Section 401 Technically Conditioned Water Quality Certification for the Sutter Bypass Pumping Plan Rehabilitation Project (WDID#5A51CR00122A2). 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

cc: [Via email only]

Michael G. Nepstad (SPK-2019-00576)  
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