
Central Valley Regional Water Quality Control Board

5 August 2026

Mr. Lynn Phillips
Sutter Extension Water District
4525 Franklin Road
Yuba City, CA 95993
LPhillips@sutterewd.com

NOTICE OF APPLICABILITY FOR COVERAGE UNDER ORDER NO. WQ 2022-0048-DWQ, ORDER FOR CLEAN WATER ACT SECTION 401 GENERAL WATER QUALITY CERTIFICATION AND WASTE DISCHARGE REQUIREMENTS FOR RESTORATION PROJECTS STATEWIDE, SUNSET WEIR AND PUMPS FISH PASSAGE PROJECT (WDID# 5A51CR00155), SUTTER AND YUBA COUNTIES

On 22 June 2026, the Sutter Extension Water District submitted a Notice of Intent (NOI) to enroll under and comply with State Water Resources Control Board (State Water Board) Order No. WQ 2022-0048-DWQ, *Order for Clean Water Act Section 401 Water Quality Certification and Waste Discharge Requirements for Restoration Projects Statewide*.

The Central Valley Water Quality Control Board (Central Valley Water Board) has reviewed your enrollment materials and finds the Sunset Weir and Pumps Fish Passage Project (Project) meets the requirements of, and is hereby enrolled under, Order No. WQ 2022-0048-DWQ. You may proceed with your Project in accordance with the Order. This Notice of Applicability is being issued under the General Certification Order pursuant to Section 3838 of the California Code of Regulations.

A copy of [Order WQ 2022-0048-DWQ](https://www.waterboards.ca.gov/board_decisions/adopted_orders/water_quality/2022/wqo2022-0048-dwq.pdf) (https://www.waterboards.ca.gov/board_decisions/adopted_orders/water_quality/2022/wqo2022-0048-dwq.pdf) can be found on the State Water Resources Control Board's General Orders webpage.

The Project is described in the notification form requesting coverage under the General Certification Order and supplementary information (Application Package). Coverage under the General Certification Order is no longer valid if the Project (as described) is modified. Failure to comply with Order No. WQ 2022-0048-DWQ constitutes a violation of the California Water Code and may result in enforcement action or termination of enrollment under the Order.

PROJECT DESCRIPTION:

The 12.11-acre Project consists of the removal of Sunset Weir to restore unimpeded passage so that migratory fish could access 28.35 miles of the Feather River from the Sunset Weir upstream to the existing Feather River Fish Barrier Dam. Project elements that affect aquatic resources include:

- Restoration of natural, volitional passage conditions for protected migratory fish species through the removal of the Sunset Weir;
- Replacing and upgrading the Sunset Pump Station to operate at a lower surface water elevation and rehabilitate existing pump discharge pipelines;
- Installing new fish screens at the Sunset Pump Station to meet current State and federal standards; and
- Using bioengineering techniques to stabilize the eroded Feather River left bank downstream of the weir.

Weir removal would involve excavating and removing the existing rock down to the approximate natural channel bed elevation. Temporary work pads and access would be constructed along the existing weir and on each side of the river for heavy equipment and, as needed, to facilitate barge access. During construction, flows would be partially controlled by timing the removal and notching the weir in stages. During initial weir notching, Sutter Extension Water District may work and coordinate with the Department of Water Resources to temporarily reduce flow releases from Lake Oroville to facilitate a safe working environment for heavy equipment.

Replacement and upgrade of the Sunset Pump Station would require in-water work and isolation of the work area from the Feather River. A cofferdam would be constructed to isolate the work area from the river. The cofferdam would consist of sheet pile walls and would be installed between 15 July and 30 September after the removal of all or most of the weir. The sheet pile wall would be installed using a crane staged on the riverbank or from a barge system using an excavator with a pile driving attachment. A fish rescue and salvage plan would be implemented before cofferdam installation, which would minimize potential construction-related effects on species present within the Project site.

The left bank stabilization portion of the Project would involve flattening the eroding bank to a 3:1 slope and protecting most of it against further failure and erosion using a vegetated rock slope protection treatment and incorporating bioengineering measures. The rock slope protection would be covered with soil, vegetated with willow pole plantings, and extend to a water surface elevation corresponding to the 2-year flood event. The section of bank above the vegetated rock slope protection would be planted with native container plants and elderberry seedlings. The regraded bank toe would be stabilized with rock extending approximately 5 feet below the existing bank toe and would have sufficient volume to allow for “launching” to an anticipated scour depth. Clusters of willow pole plantings would be installed generally perpendicular to the stabilized bank for roughness, to trap fine sediment, and to recruit vegetation along the lower bank.

The Project will temporarily impact 0.32 acre of riparian and 1.20 acres of stream channel and permanently impact 0.24 acre riparian and 0.96 acre of stream channel. The Project will restore 0.71 acre of riparian and 1.17 acre of stream channel. Temporarily impacted areas will be restored to pre-Project condition.

PROJECT LOCATION:

The Project is located on the Feather River approximately two miles southeast of Live Oak in Sutter and Yuba Counties. The approximate center of the Project area is located at latitude 39.24768 Degrees North and longitude -121.63638 Degrees West.

PROJECT SCHEDULE:

Starting 15 April 2027 for three construction seasons.

APPLICATION FEE RECEIVED:

\$1,123.00 was received on 22 June 2026.

The fee amount was determined as required by California Code of Regulations, title 23, sections 3833(b)(3) and 2200(a)(3), and was calculated as category D - Ecological Restoration and Enhancement Projects (fee code 85) with the dredge and fill fee calculator.

ANNUAL REPORTING:

The Permittee shall submit an Annual Report each year on the 1st day of the month, one year after the effective date of this Notice of Applicability. Annual reporting shall continue until the Central Valley Water Board issues a Notice of Project Complete Letter to the Permittee.

The Annual Report shall include the information specified in Attachment D, Part A of Order No. WQ 2022-0048-DWQ. The Permittee shall submit the report in accordance with the report submittal instructions in Attachment D of Order No. WQ 2022-0048-DWQ and email it to centralvalleysacramento@waterboards.ca.gov with a cc to Jenna Yang at Jenna.Yang@waterboards.ca.gov. The WDID No. for this Project is 5A51CR00155.

NOTICE OF COMPLETION:

Upon completion of the Project, you shall submit a Request for Notice of Project Complete (NOC) no later than 30 days after Project completion. The NOC shall demonstrate the Project was carried out in accordance with the Project description, include a map of the Project location with final boundaries of the restoration area, and include post-project photographs. More information on the NOC is listed in Attachment D, Part B (Report Type 4) of the Order.

If you have any questions regarding this Notice of Applicability, please contact Jenna Yang at (916) 464-4764 or at Jenna.Yang@waterboards.ca.gov.

Original Signed by Anne Walters
For Patrick Pulupa
Executive Officer

Enclosure: State Water Resource Control Board Order WQ 2022-0048-DWQ; *Order for Clean Water Act Section 401 Water Quality Certification and Waste Discharge Requirements for Restoration Project Statewide*

Attachments: Figure 1 – Project Location Map
Figure 2 – Project Impacts Map

cc: (via e-mail only)

U.S. Environmental Protection Agency
Region 9
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United States Army Corps of Engineers
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Figure 1: Project Location Map

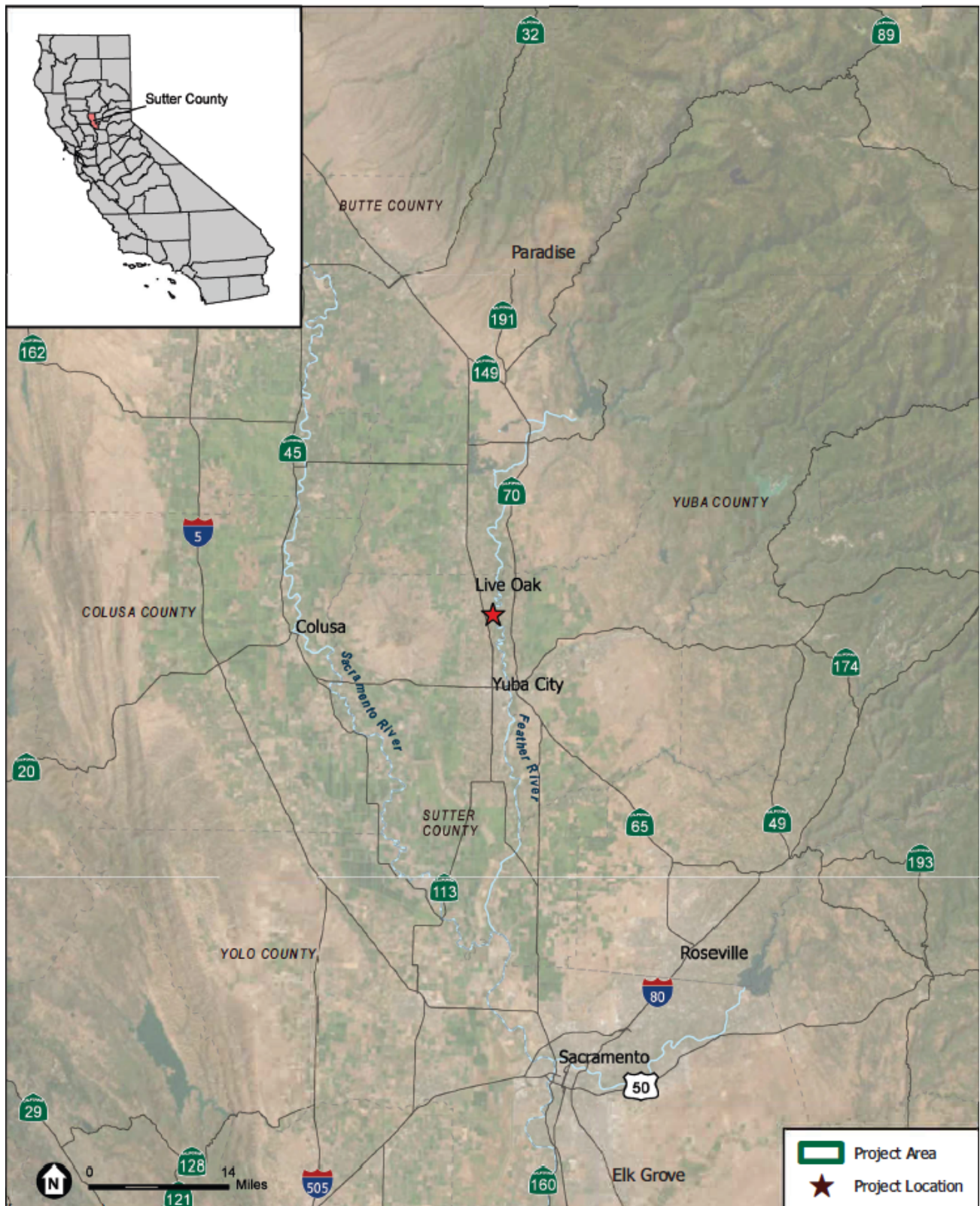


Figure 2: Project Impacts Map

