
Central Valley Regional Water Quality Control Board

2 July 2026

Michael Bessette
Sutter Butte Flood Control Agency
P.O. Box M
Yuba City, CA 95992

ORDER AMENDING CLEAN WATER ACT SECTION 401 WATER QUALITY CERTIFICATION AND ORDER; SUTTER BUTTE FLOOD CONTROL AGENCY, OROVILLE WILDLIFE AREA AND THERMALITO AFTERBAY RECREATION IMPROVEMENTS PROJECT (WDID NO. 5A04CR00369A1), BUTTE COUNTY

This Order responds to the 30 June 2026 request for an amendment to the Sutter Butte Flood Control Agency, Oroville Wildlife Area and Thermalito Afterbay Recreation Improvements Project Section 401 Water Quality Certification. The original Water Quality Certification was issued on 24 January 2025 (WDID No. 5A04CR00369). The requested amendment is hereby approved, and the original Certification amended as described below. Please attach this document to the original Certification.

AMENDMENT:

Sutter Butte Flood Control Agency (hereinafter Permittee) is requesting an amendment to the Section 401 Water Quality Certification and Order to change the time of providing a copy of the fully executed agreement for the purchase of mitigation credits from prior to the initiation of in water work to **within 30 days of authorized impacts**. The request has been approved and Section XIV.K.1.a has been amended, as shown below.

XIV. Conditions

K. Compensatory Mitigation for Permanent Impacts:

Compensatory Mitigation is for permanent physical loss and permanent ecological degradation of a water of the state.

1. Purchase of Mitigation Credits by Permittee for Compensatory Mitigation

- a.** A copy of the fully executed agreement for the purchase of mitigation credits shall be provided to the Central Valley Water Board within 30 days of authorized impacts.

CENTRAL VALLEY WATER BOARD CONTACT:

Jerred Ferguson
364 Knollcrest Drive, Suite 205
Redding, CA 96002
(530) 224-4784
Jerred.Ferguson@waterboards.ca.gov

WATER QUALITY CERTIFICATION:

I hereby issue an Amendment of existing Clean Water Act Section 401 Water Quality Certification and Order for Sutter Butte Flood Control Agency, Oroville Wildlife Area and Thermalito Afterbay Recreation Improvements Project (WDID No. 5A04CR00369A1). All other conditions and provisions of the original Water Quality Certification 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 or of this Order may result in suspension or revocation of the Water Quality Certification.

Original Signed by Clint E. Snyder, AEO

7/2/2026

For PATRICK PULUPA, Executive Officer
Central Valley Regional Water Quality Control Board

Date

JTF: db

cc

via email: U.S. EPA, Region 9, San Francisco
Water Quality Certification Program, SWRCB, Sacramento
Lilian Jepson, U.S. Army Corps of Engineers, Sacramento District
Ian McCleod, California Department of Fish & Wildlife, Rancho Cordova
Bjorn Gregersen, ECORP Consulting, Inc., Rocklin
Candice Guider-Heitmann, ECORP Consulting, Inc. Rocklin