



## Central Valley Regional Water Quality Control Board

29 January 2026

Oscar Ortiz  
Merced County Department of Public Works  
345 W 7th Street  
Merced, CA 95341

### **ORDER AMENDING CLEAN WATER ACT SECTION 401 TECHNICALLY CONDITIONED WATER QUALITY CERTIFICATION; MERCED COUNTY DEPARTMENT OF PUBLIC WORKS, BLACK RASCAL CREEK FLOOD CONTROL PROJECT (WDID NO. 5B24CR00094A2), MERCED COUNTY**

This Order responds to the 5 January 2026 request for an amendment of the Black Rascal Creek Flood Control Project (Project) Section 401 Water Quality Certification (WDID No. 5B24CR00094). The original Water Quality Certification (Certification) was issued on 13 January 2022 and amended on 3 April 2025. The requested amendment is hereby approved. The original Certification is therefore amended as described below. Please attach this document to the original Certification.

This amendment is not valid until and unless an amendment to the Section 404 Permit with equivalent modifications is approved by the United States Army Corps of Engineers (USACE) or it is otherwise determined by USACE that an amendment of the 404 Permit is unnecessary.

#### **AMENDMENT:**

Merced County Department of Public Works is requesting a time extension through 13 January 2031.

Merced County Department of Public Works has provided documentation from the United States Army Corps of Engineers (SPK-2021-0278) authorizing in-water construction activities to continue until expiration of this Certification.

#### **CENTRAL VALLEY REGIONAL WATER QUALITY CONTROL BOARD CONTACT:**

Brandon Salazar, Water Resource Control Engineer  
1685 E Street  
Fresno, CA 93706  
[Brandon.Salazar@waterboards.ca.gov](mailto:Brandon.Salazar@waterboards.ca.gov)  
(559) 445-6278

**WATER QUALITY CERTIFICATION:**

I hereby issue an Order amending the existing Clean Water Act, Section 401 Technically Conditioned Water Quality Certification for the Black Rascal Creek Flood Control Project (WDID#5B24CR00094A2). 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.

*Digitally signed by Alex S. Mushegan*

for Patrick Pulupa  
Executive Officer

cc: [Via email only]

Kathy Norton (SPK-2021-00278)  
United States Army Corps of Engineers  
Sacramento District Headquarters  
Regulatory Division  
Kathy.norton@usace.army.mil

United States Environmental Protection Agency  
Region 9  
R9cwa401@epa.gov

Justin Sloan  
United States Fish & Wildlife Service  
justin\_sloan@fws.gov

California Department of Fish and Wildlife, Region 4  
R4LSA@wildlife.ca.gov

CWA Section 401 WQC Program  
Division of Water Quality  
State Water Resources Control Board  
Stateboard401@waterboards.ca.gov

Tara Zuroweste  
Jacobs