

**CENTRAL VALLEY FLOOD PROTECTION BOARD**

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June 24, 2019

Mr. Jim Alves  
City of Modesto  
P.O. Box 642  
Modesto, CA 95353

Governor's Office of Planning & Research  
JUL 01 2019  
STATE CLEARINGHOUSE

Subject: Draft Environmental Impact Report for the City of Modesto Wastewater Master Plan,  
SCH No.: ~~2019049024~~ 2016062033

Location: Stanislaus County

Dear Mr. Alves,

Central Valley Flood Protection Board (Board) staff has reviewed the subject document and provides the following comments:

The proposed plan may result in projects located within the following regulated streams under Board jurisdiction and may require a Board permit prior to starting work: Stanislaus River; San Joaquin River; and the Tuolumne River.

The Board's jurisdiction covers the entire Central Valley including all tributaries and distributaries of the Sacramento and San Joaquin Rivers, and the Tulare and Buena Vista basins south of the San Joaquin River.

Under authorities granted by California Water Code and Public Resources Code statutes, the Board enforces its Title 23, California Code of Regulations (Title 23) for the construction, maintenance, and protection of adopted plans of flood control, including the federal-State facilities of the State Plan of Flood Control, regulated streams, and designated floodways.

Pursuant to Title 23, Section 6 a Board permit is required prior to working within the Board's jurisdiction for the placement, construction, reconstruction, removal, or abandonment of any landscaping, culvert, bridge, conduit, fence, projection, fill, embankment, building, structure, obstruction, encroachment, excavation, the planting, or removal of vegetation, and any repair or maintenance that involves cutting into the levee. Permits may also be required to bring existing works that predate permitting into compliance with Title 23, or where it is necessary to establish the conditions normally imposed by permitting. The circumstances include those where responsibility for the works has not been clearly established or ownership and use have been revised. Other federal (including U.S. Army Corps of Engineers Section 10 and 404 regulatory permits), State and local agency permits may be required and are the applicant's responsibility to obtain.

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Board permit applications and Title 23 regulations are available on our website at <http://www.cvfpb.ca.gov/>. Maps of the Board's jurisdiction are also available from the California Department of Water Resources website at <http://gis.bam.water.ca.gov/bam/>.

Encroachment permit applications received on or after July 1, 2019 are subject to fees, additional information is available on the Board's website at <http://cvfpb.ca.gov/fees-2019/>.

Please contact James Herota at (916) 574-0651, or via email at [James.Herota@CVFlood.ca.gov](mailto:James.Herota@CVFlood.ca.gov) if you have any questions.

Sincerely,



Andrea Buckley  
Environmental Services and Land Management Branch Chief

cc: Governor's Office of Planning and Research  
State Clearinghouse  
1400 Tenth Street, Room 121  
Sacramento, California 95814