

**CENTRAL VALLEY FLOOD PROTECTION BOARD**

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July 1, 2020

Mr. Kevin Sheridan  
San Joaquin Regional Rail Commission  
949 East Channel Street  
Stockton, CA 95202

Governor's Office of Planning & Research

**Jul 06 2020**

**STATE CLEARINGHOUSE**

Subject: ACE Ceres-Merced Extension, Notice of Preparation, SCH No. 2018012014

Location: Counties of Stanislaus and Merced

Dear Mr. Sheridan,

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

The proposed project is within the vicinity of the Stanislaus River, Merced River, Bear Creek, Canal Creek, Black Rascal Creek, Miles Creek, Mariposa Creek, Mariposa Bypass, Owens Creek, Dutch Slough, Chowchilla River regulated streams under Board jurisdiction, and may require a Board permit prior to construction.

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.

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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.

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: Office of Planning and Research  
P.O. Box 3044, Room 113  
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