

**CENTRAL VALLEY FLOOD PROTECTION BOARD**

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February 27, 2019

Governor's Office of Planning & Research

MAR 08 2019

STATE CLEARINGHOUSE

Mr. Joe Giulian  
Merced County  
715 Martin Luther King Jr. Way  
Merced, California 95341

Subject: Merced County Bridge Maintenance and Replacement Programs, Mitigated  
Negative Declaration SCH No.: 2019029068

Location: Merced County

Dear Mr. Giulian,

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 in Merced County under Board jurisdiction, and may require a Board permit prior to construction:

- |                    |                  |
|--------------------|------------------|
| Bear Creek         | El Capitan Canal |
| Black Rascal Creek | Fahrens Creek    |
| Canal Creek        | Mariposa Bypass  |
| Chowchilla River   | Mariposa Creek   |
| Duck Slough        | Merced River     |
| Eastside Bypass    | Miles Creek      |
| Edendale Creek     | Owens Creek      |

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.

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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.

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/>.

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,



*for* 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