

Central Valley Flood Protection Board

Executive Officer Delegation Report

Posting Date: September 10th, 2025

Number of Applications Scheduled: 3

Application Number: 19968

Applicant: Pacific Gas and Electric (PG&E)

Location Description: Crosses the Yuba River, Marysville Ring Levee (MRL). Structure 000/002 (39.13906574, -121.58350301) and Structure 000/003 (39.13837462, -121.58339730) in Yuba County.

County: Yuba

Stream: Yuba River

Project Description: Authorize an existing PG&E electric transmission line (Nicolaus Marysville 60kV) established in 1966 that crosses the Yuba River, Marysville Ring Levee (MRL) and is authorized under the Flood Protection Levee Easement (FPLE). Structure 000/002 (39.13906574, -121.58350301) and Structure 000/003 (39.13837462, -121.58339730), which are north of the Yuba River within the MRL.

LMA Endorsement: N/A

CEQA Finding: The project is exempt from CEQA under the Class 1, Existing Facilities categorical exemption (CEQA California Code of Regulations, Title 14, Section 15301), because the activity consists of the operation, repair, maintenance, permitting, leasing, licensing or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of use. No expansion of existing or former use will occur. Further, none of the exceptions to the exemption in CEQA California Code of Regulations, Title 14, Section 15300.2 apply.

Application Number: 20012

Applicant: California Water Service Co.

Location Description: The project is located in the community of Kernville, near Kernville Road and Siretta Street in Kern County.

County: Kern

Stream: Kern River

Project Description: To construct a replacement raw water in-channel intake system along the west bank of the Kern River within the Kern River Designated Floodway. The intake system consists of a concrete intake structure with cone screen and intake piping, two intake pumps within a new pump vault, with fencing, and an electrical equipment platform. Rip rap and rock slope protection will be installed around the intake structure to allow water to flow into the structure. To remove an existing air tank, concrete foundation pad, air piping, temporary pump building and concrete foundation, existing above ground intake piping, existing electrical panels, existing overhead utility lines, and trees as needed. To remediate areas upstream and downstream including the removal of approximately 20 cubic yards of concrete blocks along the eastern project area. To authorize an existing raw water intake system consisting of a steel pole with antenna and a pump vault with intake pipe and fish screen to back up the new facility. A temporary coffer dam will be utilized during construction.

LMA Endorsement: N/A

CEQA Finding: As a responsible agency under CEQA, Board staff has reviewed the Kernville Raw Water Intake Upgrade Project Draft and the Final Initial Study/Mitigated Negative Declaration (IS/MND) (State Clearinghouse No. 2025040522, March 2025), and the Mitigation Monitoring and Reporting Program (MMRP), prepared by the lead agency, the State Water Resources Control Board (State Water Board). The proposed project is covered by the IS/MND. The State Water Board determined that the project will not have a significant effect on the environment and filed a Notice of Determination with the State Clearinghouse on May 22, 2025. The State Water Board incorporated mandatory mitigation measures into the project plans to avoid or mitigate impacts. These mitigation measures, included in the State Water Board's IS/MND and MMRP, address impacts to air quality, biological resources, cultural resources, geology and soils, paleontological resources, and noise. These mitigation measures are within the responsibility and jurisdiction of, and have been adopted by the State Water Board. The IS/MND found less than significant impacts with mitigation under hydrology for flood-related impacts associated with the proposed project.

In accordance with CEQA California Code of Regulations, Title 14, Section 15096(f), Board staff considered the State Water Board's IS/MND, which supports the Board's approval of Permit No. 20012 to authorize the proposed project which is within the Board's jurisdiction as it relates to effects on the federal-State facilities of the State Plan of Flood Control, regulated streams, designated floodways, and easements (Adopted Plan of Flood Control). The Board, as a responsible agency, is responsible for mitigating or avoiding only the direct or indirect environmental effects of those parts of the project which it decides to approve (CEQA California Code of Regulations, Title 14, Section 15096(g); Public Resources Code Section 21002.1(d)). Here, the Executive Officer's action is limited to approving an encroachment permit, and the Board's jurisdiction is

limited to imposing conditions to mitigate or avoid impacts to the environment under its authority, specifically the Adopted Plan of Flood Control.

In addition to the discussion within the IS/MND related to flood risk, Board staff reviewed hydraulic analyses to determine if there will be flood impacts as a result of the project. The Kern River Intake Replacement Project Final Hydraulics Report prepared by GHD (March 2024) found the proposed project will result in a rise in the 100-year flood water surface elevation of up to 0.09 feet extending approximately 110 feet upstream of the project, which is considered insignificant. Board staff has reviewed the hydraulic analyses, agree with the methodology and findings, and has determined that impacts to flood risk will be less than significant. When considering the record as a whole, including the hydraulic analyses, and in accordance with CEQA California Code of Regulations, Title 14, Section 15096(f) and (g), staff recommends that the Executive Officer make responsible agency findings that approval of Permit No. 20012 will not result in any significant adverse impacts related to flood risk. The project will not adversely impact the Adopted Plan of Flood Control; therefore, no conditions or mitigation measures within the Board's jurisdiction are required.

These documents, including project design, are available for review in hard copy at the Board and the State Water Board's offices. These documents which constitute the administrative record of the Board in this matter are in the custody of the Executive Officer, Central Valley Flood Protection Board, 3310 El Camino Ave., Suite 170, Sacramento, California 95821.

Application Number: 9797-1

Applicant: BV Pond LLC and MH Pond LLC

Location Description: Section 12, T. 15 N., R. 10 W., M.D.B.&M., Lake County. (Lake County Flood Control and Water Conservation District) in Lake County.

County: Lake

Stream: Scotts Creek

Project Description: This is a "name change" permit that includes conditions that are consistent with current flood control standards and policies of the Central Valley Flood Protection Board. This permit supplements Permit No. 9797 that was issued to Dennis P. McCarthy on August 30, 1974, to authorize the installation of an 8-inch irrigation pipe and 1-1/2-inch electrical conduit through the left bank levee of Scotts Creek, approximately 600 feet downstream of Highway 29.

LMA Endorsement: Lake County Watershed Protection District

CEQA Finding: The Board has determined that an application to change the name of the permittee does not have the potential to result in either a direct physical change in the environment or a reasonably foreseeable indirect physical change in the environment, and thus, is not a “project” for purposes of the California Environmental Quality Act (CEQA Public Resources Code Section 21065; CEQA California Code of Regulations, Title 14, Section 15378(a)).