Central Valley Flood Protection Board
Executive Officer Delegation Report
Special Posting

Posting Date: May 27th, 2026
Number of Applications Scheduled: 2

Application Number: 20092

Applicant: Yosemite Rivers Alliance

Location Description: The project is located within the overflow area of the Tuolumne River within the City of Modesto

County: Stanislaus

Stream: Tuolumne River

Project Description: To breach the right bank of the Tuolumne River to connect an existing local basin within the Tuolumne River Designated Floodway to prevent fish stranding and create more frequent inundation for aquatic microhabitats. The existing basin will be reshaped for fish passage. Erosion protection will be installed at the bank breach location. All material excavated in access will be removed from the floodway.

LMA Endorsement: N/A

CEQA Finding: As a responsible agency under CEQA, Board staff has reviewed the State Water Resources Control Board Restoration Projects Statewide Order Draft and Final Programmatic Environmental Impact Report (PEIR) (State Clearinghouse No. 2019100230, August 2022), and the Mitigation Monitoring and Reporting Program (MMRP) and Statement of Overriding Considerations prepared by the lead agency, the State Water Resources Control Board. The proposed project is covered by the PEIR as granted by the Notice of Applicability issued by the Central Valley Regional Water Quality Control Board on March 27, 2026. The PEIR was prepared pursuant to California Code of Regulations, Title 14, Section 15168.
The City of Modesto determined that project is within the scope of the Restoration Projects Statewide Order PEIR, no additional significant environmental effects will result from the project, and no new additional mitigation measures or alternatives are required. In accordance with California Code of Regulations, Title 14, Sections 15152 and 15168(c), the City of Modesto prepared the Carpender Road Floodplain Restoration Project Initial Study (IS) and Consistency Analysis with the SRGO Programmatic EIR, dated February 18, 2026, and created a project-specific MMRP which incorporated all feasible mitigation measures appropriate to the project as set forth in the PEIR. These mitigation measures, identified in the project-specific IS and MMRP, address general protection measures and/or impacts to aesthetics; air quality and greenhouse gases; biological resources; cultural and paleontological resources; energy resources; geology, soils, and seismicity; hazards and hazardous materials; hydrology and water quality; noise; transportation; tribal cultural resources; utilities and services systems and public services; and wildfire. These mitigation measures are within the responsibility and jurisdiction, and have been adopted by, the City of Modesto. With incorporation of mitigation measures, potential impacts to hydrology for flood related impacts resulting from the project were found to be less than significant.
In accordance with California Code of Regulations, Title 14, Section 15096(f), Board staff

independently reviewed and considered the State Water Resources Control Board's Draft and Final PEIR, MMRP and Statement of Overriding Considerations and the City of Modesto's project-specific IS and MMRP, which supports the Board's approval of Permit No. 20092 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 (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 a Board 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.

The Board, as a responsible agency, is required to make findings for each significant effect of the project (California Code of Regulations, Title 14, Sections 15096(h) and 15091). In addition to the discussion within the PEIR identifying less than significant impacts related to flood risk, Board staff reviewed hydraulic analyses to determine if there will be flood impacts as a result of the project. The updated Combined 1D-2D Hydraulic Model prepared by FlowWest (January 7, 2026) found the proposed project will reduce the water surface elevation (WSE) outside of project limits under forecasted flows, WSEs are expected to decrease from -0.11 feed to 0.02 feet by the proposed project. Board staff has reviewed the hydraulic analyses, agrees with the methodology and findings, and has determined that impacts to flood risk will be less than significant. There is no substantial evidence to support a fair argument that the project will result in significant impacts related to flood risk, which is the only resource area within the Board's jurisdiction. Therefore, approving a Board permit does not require additional findings unrelated to flood risk under California Code of Regulations, Title 14, Section 15096(h), nor is the consideration of alternatives required. When considering the record as a whole, including the hydraulic analyses, and in accordance with California Code of Regulations, Title 14, Section 15096(f) and (g), the Board finds that approval of Permit No. 20092 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 at the Board and the City of Modesto'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: 20096

Applicant: Turlock Irrigation District

Location Description: The project is located approximately 24 miles northeast of the City of Turlock, in the community of La Grange, within the Tuolumne River floodway.

County: Stanislaus

Stream: Tuolumne River

Project Description: To construct in channel gravel bars, riffle complexes, large wood habitat features, and boulder features within the Tuolumne River Designated Floodway, confined to the active channel.

LMA Endorsement: Designated Floodway - Tuolumne River

CEQA Finding: The Powerhouse Riffles Restoration Project is excluded from CEQA pursuant to Section 21080.56 of the Public Resources Code (PRC), which exempts a project to restore or provide habitat for California native fish and wildlife meeting certain requirements. On March 16, 2026, the CDFW Director concurred with the Turlock Irrigation District determination that the project meets the qualifying criteria set forth in PRC Section 21080.56, subdivisions (a) to (d), inclusive. Specifically, the CDFW Director concurred with the Turlock Irrigation District that the project meets all of the following conditions: (1) the project is exclusively to conserve, restore, protect, or enhance, and assist in the recovery of California native fish and wildlife, and the habitat upon which they depend; or is exclusively to restore or provide habitat for California native fish and wildlife; (2) the project may have public benefits incidental to the project's fundamental purpose; (3) the project will result in long-term net benefits to climate resiliency, biodiversity, and sensitive species recovery; and includes procedures and ongoing management for the protection of the environment; and (4) project construction activities are solely related to habitat restoration. Pursuant to PRC Section 21080.56, subdivision (g), CDFW has posted this Concurrence on CDFW's CEQA Notices and Documents webpage: https://wildlife.ca.gov/Notices/CEQA.