

NOTICE OF PERMIT REVOCATION
CENTRAL VALLEY FLOOD PROTECTION BOARD
PERMIT NUMBER 19734 BD

ISSUED TO: PERMITTEE, KEVIN MALLEN, EXECUTIVE DIRECTOR OF THE
THREE RIVERS LEVEE IMPROVEMENT AUTHORITY

CURRENT PROPERTY OWNERS, JENS KARLSHOEJ AND WESTERN
AGGREGATES INC.

YUBA RIVER RIGHT BANK LEVEE: NORTH TRAINING WALL PHASE 2 PROJECT,
YUBA COUNTY

NOTICE IS HEREBY GIVEN THAT The Central Valley Flood Protection Board (Board) will revoke Permit 19734 BD under the authority of Water Code Sections 8534 and 8608 and Title 23, Waters, Division 1 (Title 23) of the California Code of Regulations, Sections 28(d) and 28.1.

BACKGROUND

1. The Yuba River North Training Wall Project – Phase 2 (High-Ground Tie-In) is located within a Designated Floodway along the Yuba River downstream of the DaGuerre Point Dam in Yuba County near 39.207231°N, 121.453022°W.
2. The project consists of 1,040 feet of new levee embankment including a patrol road, access ramps, excavation of test pits for supplemental geotechnical data collection, replacement of the Hallwood-Cordua Canal culvert, and staging areas.
3. The Board approved the project through Permit 19734 issued on October 10, 2024.
4. On March 6, 2025, the Board received a request to modify General Condition Five of Permit 19734 to extend the applicability of the conditions within the permit for one year to allow for additional time to complete real estate acquisitions. The Board notified the permittee that a modification to the condition is not necessary, and the Board will consider the timeliness of construction of the project through any permit revocation proceedings pursuant to Title 23, California Code of Regulations, sections 28 and 28.1.
5. On October 9, 2025, the permittee notified the Board that it will no longer pursue construction of the project and has completed project close-out activities.

AUTHORITY – LEGAL REQUIREMENTS

Permit Revocation Actions

1. Permit revocation actions are governed by the California Code of Regulations, which allows a permit to be revoked administratively by order of the Executive Officer as authorized by Section 5 following the procedures described in Section 28 in the circumstances that “one year or more has elapsed since the board issued the permit

and the encroachment has not been constructed or does not exist.”
(Cal. Code of Regs., tit. 23, § 28, subd. (d)(3).)

FINDINGS

Based on the evidence in the record, which includes, but is not limited to, the original signed permit and notification from the permittee to abandon construction efforts, and all figures, attachments, exhibits, and referenced documents, the Executive Officer makes the following findings:

1. The permitted encroachment under Permit 19734 BD has not been constructed within one year since the Board issued the permit.
2. The proposed administrative action consists of the Board revoking Permit 19734 BD pursuant to California Code of Regulations, Title 23, Section 28(d)(3). The proposed action 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 CEQA (Public Resources Code Section 21065; CEQA California Code of Regulations, Title 14, Section 15378(a)).

IT IS HEREBY ORDERED:

1. Permit 19734 BD, issued to Kevin Mallen, Executive Director of the Three Rivers Levee Improvement Authority, on October 10, 2024 will be revoked by the Executive Officer as authorized by Section 28.1 (a)(5).
2. If the permittee or property owners object to the revocation, they shall file a written objection with the Board within thirty (30) days of this notice and shall request a hearing before the Board.

Approved by the Executive Officer on June 16, 2026.

Chris Lief

Chris Lief, Executive Officer

I certify that I placed this notice in the US Mail addressed to the permittee/property owner on June 16, 2026.

Michael Zelazo

Michael Zelazo, Board Staff