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CENTRAL VALLEY FLOOD PROTECTION BOARD

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2016 FEB 18 PM 1:07

February 12, 2016

Mr. Scott Armstrong
Regional Water Quality Control Board
11020 Sun Center Drive, Suite 200
Rancho Cordova, California 95670

Subject: CEQA Comments: Bear Creek Winery Wastewater Treatment and Disposal
Negative Declaration, SCH No.: 2016022002

Location: San Joaquin County

Dear Mr. Armstrong:

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

The proposed project is adjacent to Pixley Slough, a regulated stream 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.

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.

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Page 2 of 2

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/>.

Should you have any questions, feel free to contact Mr. James Herota of my staff by phone at (916) 574-0651, or via email at james.herota@water.ca.gov.

Sincerely,

A handwritten signature in black ink, appearing to read "Eric Butler". The signature is fluid and cursive, with a large loop at the end of the last name.

Eric Butler, Chief
Projects and Environmental Branch

cc: Governor's Office of Planning and Research
State Clearinghouse
1400 Tenth Street, Room 121
Sacramento, California 95814