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Notice of Exemption **Appendix E**

TO: Office of Land Use and Climate Innovation
State Clearinghouse
P.O. Box 3044, Room 113
Sacramento, CA 95812-3044

FROM: Central Valley Flood Protection Board
3310 El Camino Avenue, Suite 170
Sacramento, CA 95821
Jennifer Calles, (916) 837-3683
Jennifer.Calles@cvflood.ca.gov

Project Title: Enforcement No. 2024-15704 – Notice to Proceed with Compliance Plan and Schedule for Levee Restoration and Pipe Repair/Replacement

Project Applicants/Persons Carrying Out Project: Michael Hat, MH Pond LLC and Sam Peregian, BV Pond LLC

Project Location: The levee restoration work is located within the Lake County Watershed Protection District (NA0009), Units No. 02 Middle Creek and No. 03 Scotts Creek; approximately 2 miles of levee along both Middle Creek and Scotts Creek, in Lake County (39.14927°, -122.91497°).

Project Description: To approve the Compliance Plan and Schedule (Plan) for Enforcement Case 2024-15704. Implementation of the Plan will repair approximately 8,700-linear feet of the landside levee toe to as-built conditions by removing surface vegetation to prepare the damage slope, backfilling, recompacting, and restoring slope to pre-alteration conditions.

Public Agency Approving Project: Central Valley Flood Protection Board (Board)

Exempt Status:

☒ Categorical Exemption: Sections 15321 Enforcement Actions by Regulatory Agencies, 15304 Minor Alterations to Land, Class 2 Replacement or Reconstruction, and 15301 Existing Facilities

Reasons Why Project is Exempt:

The project is exempt from CEQA under the Class 21, Enforcement Actions by Regulatory Agencies categorical exemption (CEQA California Code of Regulations, Title 14, Section 15321), because the activity consists of actions taken to enforce or revoke a lease, permit, license, certificate, or other entitlement for the issues, adopted, or prescribed by the regulatory agency or enforcement of law, general rule, standard, or objective, administered or adopted by the regulatory agency. In addition, The project is exempt from CEQA under the Class 4, Minor Alterations to Land categorical exemption (CEQA California Code of Regulations, Title 14, Section 15304), because the activity consists of minor public or private alterations in the condition of land, water, and/or vegetation which do not involve removal of healthy, mature, scenic trees except for forestry or agricultural purposes. The project is exempt from CEQA under the Class 2, Replacement or Reconstruction categorical exemption (CEQA California Code of Regulations, Title 14, 15302), because the activity consists of replacement and reconstruction of an existing structure in the same site and will have substantially the same purpose and capacity as the replaced structure. Finally, 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 demolition and removal of accessory structures. Further, none of the exceptions to the exemption in CEQA California Code of Regulations, Title 14, Section 15300.2 apply.

Chris Lief 8/21/2025

Signature Chris Lief, Executive Officer Date

☒ Signed by Public Agency ☐ Signed by Responsible Agency

Date Received for filing at the Office of Land Use and Climate Innovation:

Authority cited: Sections 21083 and 21110, Public Resources Code.
Reference: Sections 21108, 21152, and 21152.1, Public Resources Code.