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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
Angela Nguyen-Tan, (916) 837-3717
Angela.Nguyen-Tan@cvflood.ca.gov

Project Title: Enforcement No. 2026-15769– Notice to Proceed with Compliance Plan and Schedule (Plan) for Pipe Removal and Site Restoration

Project Applicant: N/A

Project Location: The project is located within San Joaquin County Flood Control and Water Conservation District (NA0017) on the right bank levee of Mormon Slough, Unit 15, in Linden, CA 95236, at approximately 38.021420 N, -121.061480 W, at Levee Mile 3.57, in San Joaquin County.

Project Description: Approval and implementation of a Plan for Enforcement Case No. 2026-15769 to remedy installation of an unauthorized 8-inch diameter PVC pipe through the right bank of the Mormon Slough project levee. The corrective work consists of excavating the levee 8 to 12 feet deep, fully removing the pipe, then restoring the levee to pre-project conditions using the native, moisture-conditioned soil for compacted backfill in 4 to 6-inch lifts. Lastly, the levee crown will be restored with 4 inches of aggregate base. Compaction tests are planned to be taken at every 1 foot interval. No expansion of use or new development is proposed.

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

Agency/Person Carrying Out Project: John Dondero

Exempt Status:

☒ Categorical Exemption: Sections 15321, 15301, 15304

Reasons Why Project is Exempt:

The project is exempt from CEQA under the Class 21, Enforcement Actions by Regulatory Agencies categorical exemption (California Code of Regulations, Title 14, Section 15321), because the activity consists of actions taken by a regulatory agency to enforce applicable laws, regulations, and/or permit requirements. Specifically, the project implements a compliance action requiring the removal of an unauthorized pipe placed within a project levee and restoration of the site to pre-disturbance conditions. Additionally, the project is also exempt from CEQA under Class 1, Existing Facilities categorical exemption (California Code of Regulations, Title 14, Section 15301), because the activity consists of the demolition and removal of accessory structures with negligible or no expansion of use. The project is also exempt from CEQA under the Class 4, Minor Alterations to Land categorical exemption (California Code of Regulations, Title 14, Section 15304), because the activity consists of minor grading and restoration work involving excavating the levee and removing previously placed soil and restoring the levee to pre-project conditions. Restoring the existing site does not involve the removal of healthy, mature, scenic trees. The project is limited in scope, occurs within a previously disturbed area, and will not result in a reasonable possibility of a significant environmental effect. Further, none of the exceptions to the exemption in California Code of Regulations, Title 14, Section 15300.2 apply

Chris Lief 7/15/2026

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.