

**Notice of Determination****- 1 -**

**To:**  
Office of Planning and Research  
*For U.S. Mail:*  
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Sacramento, CA 95812-3044

*Street Address:*  
1400 Tenth Street  
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**From:**  
Department of Fish and Wildlife  
South Coast Region  
3883 Ruffin Road  
San Diego, CA 92123  
Contact: Matthew Chirdon  
Phone:(858) 467-4201



Lead Agency  
California Dept. of Transportation, Dist. 5  
San Luis Obispo, CA 93401  
Contact: Sunny McBride  
Phone: (805) 549-3718

**SUBJECT: Filing of Notice of Determination pursuant to Public Resources Code section 21108**

**State Clearinghouse Number:** 2019029047

**Project Title:** Bear Creek Culvert Invert Repair Project (Lake or Streambed Alteration Agreement No. 1600-2020-0095-R5)

**Project Location (include county):** The project is located at Bear Creek, a tributary to Kelley Creek and Santa Ynez River, in Santa Barbara County, State of California. More specifically, the project is located along State Route 154 (SR-154), at Post Mile 21.3. The project site can be located using the following information: Latitude 34.5354, Longitude -119.8617.

**Project Description:** The California Department of Fish and Wildlife (CDFW) has executed Lake and Streambed Alteration Agreement number 1600-2020-0095-R5, pursuant to section 1602 of the Fish and Game Code to the project Applicant, California Department of Transportation.

The project is being proposed because the existing culvert is failing. The project is limited to (1) the repair of the invert of the existing culvert by paving, (2) constructing fish passage structure to remediate an existing barrier to fish passage, (3) establishing and restoring a temporary construction easement, to include an access road and equipment staging area, from adjacent landowner to access the culvert, (4) the implementation of a temporary stream diversion and dewatering operation within Bear Creek, and (5) restoration of the natural streambed. The construction of the project will result in 0.24 acre of temporary impacts consisting of 0.10 acre perennial stream, 0.06 acre developed/culverted stream, 0.08 California sycamore woodlands (no permanent impacts authorized).

This is to advise that CDFW, acting as a Responsible Agency, approved the above described project on 9/11/2020 and has made the following determinations regarding the project pursuant to California Code of Regulations section 15096, subdivision (i):

1. The project will not have a significant effect on the environment. This determination is limited to effects within CDFW's permitting jurisdiction as a Responsible Agency.
2. CDFW considered the  mitigated negative declaration /  negative declaration prepared by the Lead Agency for this project pursuant to California Code of Regulations section 15096, subdivision (f).
3. Mitigation measures  were /  were not made a condition of CDFW's approval of the project.
4. A mitigation reporting or monitoring plan  was /  was not adopted by CDFW for this project.
5. A statement of overriding considerations was not adopted by CDFW for this project.
6. Findings were not made by CDFW pursuant to California Code of Regulations section 15091.

The  mitigated negative declaration /  negative declaration prepared for the project is available to the general public at the office location listed above for the Lead Agency. CDFW's record of project approval as Responsible Agency is available at CDFW's regional office.

*Signature*

DocuSigned by:  
*Erinn Wilson*

9/11/2020

*Date:*

Erinn Wilson, Environmental Program Manager

**Governor's Office of Planning & Research**

Date Received for filing at OPR: **Sep 15 2020**

**STATE CLEARINGHOUSE**