

Notice of Determination

To:
Office of Planning and Research
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From:
Department of Fish and Wildlife
Region 4
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Fresno, California 93631
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Lead Agency
San Luis Obispo County
County Government Center, Room 200
San Luis Obispo, California 93408
Contact: Keith Miller
Phone: (805) 781-5714

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

State Clearinghouse Number: 2016021077

Project Title: Mid-Higuera Bypass Project (Lake or Streambed Alteration Agreement No. EPIMS-SLO-14529-R4)

Project Location (San Luis Obispo County): The Project is located in San Luis Obispo Creek between Marsh Street and Madonna Road, east of Highway 1, and west of Higuera Street in the City of San Luis Obispo, San Luis Obispo County, California, Upstream Latitude: 35.2745 and Longitude -120.6699 and Downstream Latitude 35.2680 and Longitude -120.6727.

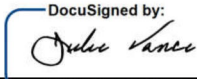
Project Description: The California Department of Fish and Wildlife (CDFW) has executed Lake and Streambed Alteration Agreement No. EPIMS-SLO-14529-R4, pursuant to Fish and Game Code section 1602, to the project Applicant, City of San Luis Obispo.

The Project includes activities that will increase the flood capacity of San Luis Obispo Creek up to a 25-year storm event between Marsh Street and Madonna Road, and is intended to address insufficient capacity for up to a 25-year storm event; localized sediment accumulation and bank erosion; a poor pool-to-riffle ratio; prevalence of non-native, invasive species; and lack of continuity and diversity in native riparian vegetation. The Project includes five components to address these issues: Project 1 – Two bypass channels will be constructed on the west side of the creek and four vegetated benches will be constructed at existing channel restrictions; Project 2 – Bianchi Lane bridge will be replaced with a larger, double span bridge; Project 3 – Sediment will be removed under the Marsh Street bridge; and Project 4 – Channel and riparian enhancements will include in-stream boulders, log structures, removal of invasive species, and planting native riparian species.

This is to advise that CDFW, acting as a Responsible Agency, approved the project described above on 8/3/2023 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 environmental impact report prepared by the Lead Agency for this project pursuant to California Code of Regulations section 15096, subdivision (f).
3. Mitigation measures were made a condition of CDFW’s approval of the project.
4. A Mitigation Reporting or Monitoring Plan was adopted by CDFW for this project.
5. A Statement of Overriding Considerations was not adopted by CDFW for this project.
6. Findings were made by CDFW pursuant to California Code of Regulations section 15091.

The Final EIR 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 a Responsible Agency is available at CDFW’s regional office.

DocuSigned by:

Signature: _____ **Date:** 8/3/2023
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Julie A. Vance, Regional Manager

Date Received for filing at OPR: _____