

# Notice of Exemption

Appendix E

To: Office of Planning and Research  
P.O. Box 3044, Room 212  
Sacramento, CA 95812-3044

From: California Polytechnic University, San Luis Obispo  
1 Grand Avenue  
San Luis Obispo, CA 93410

Project Title: Cal Poly Shephard Overflow Channel Repair

Project Location – Specific: Within the Cal Poly campus, north of Sports Complex Road and south of Shephard Reservoir in the unincorporated San Luis Obispo County, California

Project Location - City: N/A

Project Location - County: San Luis Obispo County

Description of Nature, Purpose and Beneficiaries of Project:

During heavy rains in January 2023, Shephard Reservoir topped its spillway and began sending overflow water into the channel that connects Shephard Reservoir with Smith Reservoir. The volume and velocity of the water moving down the channel caused destructive erosion to the berm of the channel and subsequently damaged the university's upper sports complex fields (a synthetic turf facility), an adjacent retention basin, and Shephard Reservoir's earth berm dam. California Polytechnic State University, San Luis Obispo (Cal Poly) is proposing emergency repairs to the damaged facilities, including reconstruction and restoration of the overflow channel to repair the breach and ensure that the grade and design is adequate to safely move water from the overflow of Shephard Reservoir to Smith Reservoir and to prevent further damage to the upper sports complex fields and other facilities within the northern portion of the Cal Poly campus.

Name of Public Agency Approving Project: The Trustees of the California State University

Name of Person or Agency Carrying Out Project: California Polytechnic University, San Luis Obispo

The project is exempt from CEQA under the following authority:

- Ministerial (Sec. 21080(b)(1); 15268)
- Declared Emergency (Sec. 21080(b)(3); 15269(a))
- Emergency Project (Sec. 21080(b)(4); 15269(b)(c))
- Categorical Exemption. State type and section number: \_\_\_\_\_
- Statutory Exemption. State code number: 15269 (Emergency Projects)

Reasons why project is exempt:

The project involves the repair of existing drainage facilities in order to prevent further damage to public university facilities, which are considered essential to the public health, safety, and welfare of students at Cal Poly. Section 15269(c) of the State CEQA Guidelines exempts specific actions necessary to prevent or mitigate an emergency that may damage public facilities. The proposed repair is exempt because it was determined there is still significant potential for future stormwater flows through the channel to impact and damage public facilities during future heavy rain events.

Lead Agency Contact Person: Scott Bloom, Campus Planner, California Polytechnic University, San Luis Obispo

Area Code/Telephone/Extension: (805) 756-1573

If filed by applicant: Not applicable

1. Attach certified document of exemption finding.
2. Has a Notice of Exemption been filed by the public agency approving the project: Yes  No

Signature:  Date: 10/23/23 Title: Campus Planner  
Signed by Lead Agency:  Signed by Applicant: \_\_\_\_\_

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