



**CITY OF ARROYO GRANDE
CITY COUNCIL
NOTICE OF PUBLIC HEARING**

NOTICE IS HEREBY GIVEN that the Arroyo Grande City Council will conduct a public hearing on **TUESDAY, DECEMBER 12, 2023, at 6:00 p.m.**, or soon thereafter, to consider the following item:

Consideration Of Conditional Use Permit 23-002 And Finding That This Action Is Exempt From Review Under The California Environmental Quality Act Pursuant To State Guidelines Section 15301, 15302 and 15304; AG Creek Stream Gauge Modification Project; Location – Arroyo Grande Creek near Myrtle Street and Stanley Avenue; Applicant – Steph Wald, Creek Lands Conservation

The City Council will consider an application to construct a fish passage improvement project on Arroyo Grande Creek near Myrtle Street and Stanley Avenue at a stream gauge operated by the County of San Luis Obispo.

This Project is exempt from review under the California Environmental Quality Act (“CEQA”) pursuant to State CEQA Guidelines Section 15301 (Existing Facilities). This exemption consists of the operation, repair, maintenance or minor alterations to existing public or private structures involving negligible or no expansion of existing or former use. This includes maintenance of artificial wildlife waterway devices to protect fish and wildlife resources. Here, the Project involves the operation, repair, and minor alteration to the existing stream gauge that involves little to no expansion of the existing use. Further, the stream gauge will continue to be used for its original purpose of improving the critical steelhead trout habitat.

Alternatively, the Project is also exempt from review under CEQA pursuant to State CEQA Guidelines Section 15302 (Replacement or Reconstruction). This exemption consists of the replacement or reconstruction of existing structures where the new structure will be located on the same site as the structure replaced and will have substantially the same purpose and capacity as the structure replaced. The Project will involve the reconstruction of the stream gauge, located on the same site as the existing stream gauge, and will have the same purpose of improving the steelhead trout habitat with the same capacity as the existing structure.

Lastly, the Project is exempt from review under CEQA pursuant to State CEQA Guidelines Section 15304 (Minor Alterations to Land). This exemption consists of minor alterations in the condition of land, water, and/or vegetation which do not involve removal of healthy, mature, scenic trees. This includes minor alterations in land and water to fish production facilities which result in improvement of habitat for fish and wildlife resources or greater fish production. Here, the Project involves reconstruction of the stream gauge that will lead to the improvement of habitat for the steelhead trout.

None of the exceptions to the categorical exemptions set forth in State CEQA Guidelines section 15300.2 have any applicability here. The Project will not impact any environmental resource of hazardous or critical concern, will not result in significant cumulative impacts, is not subject to any unusual circumstances that could result in a significant environmental impact, would not damage any scenic resources within a scenic highway, is not located on a hazardous waste site identified on any list compiled pursuant to Government Code section 65962.5, and would not impact an historical resource.

Staff is directed to file the corresponding Notice of Exemption within five working days from the approval of this Project.

This City Council meeting is being conducted in a hybrid in-person/virtual format. Members of the public that prefer to participate virtually may do so by joining the Zoom meeting option. Members of the public may provide public comment on agenda items during the meeting in person, by joining the Zoom meeting, or by submitting written public comments to the City Council at publiccomment@arroyogrande.org. To provide comment during the meeting, members of the public may join the Zoom meeting at <https://us02web.zoom.us/j/86752345420>; Webinar ID: 867 5234 5420 or by phone by calling 1-669-900-6833; or 1-346-248-7799. During the public hearing, public comment will be limited to three (3) minutes per speaker, pursuant to current meeting procedure.

The City Council may also discuss other hearings or business items before or after the item listed above. If you challenge the proposed action in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the City Council at, or prior to, the public hearing. Failure of any person to receive the notice shall not constitute grounds for any court to invalidate the action of the legislative body for which the notice was given.

Documents related to the project are available in the Community Development Department located at 300 E. Branch Street, Arroyo Grande. The Agenda and reports are posted online at www.arroyogrande.org 72 hours prior to the meeting. Please call (805) 473-5400 for more information. The City Council meeting will be televised live on Charter Cable Channel 20.

/s/Jessica Matson, City Clerk

Publish 1T, 1/8 page The Tribune, Friday, December 1, 2023