

Notice of Determination**Appendix D**

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 (Board)
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SUBJECT: Filing of Notice of Determination pursuant to Public Resources Code Section 21108.

State Clearinghouse Number (SCH No.): 2019049067

Project Title: Minor Alteration No. WA2025151 – Bear River Restoration Project

Project Applicant: City of Merced; Daryl Jordan; Project Manager; 678 W. 18th Street, 2nd Floor, Merced, CA, 95340; jordand@cityofmerced.org

Lead Agency/Contact/Address: Merced County; Dept. of Public Works; Joe Giulian; Project Manager; 715 Martin Luther King Jr. Way, Merced, CA, 95341; 209-385-7601

Project Location/City/County: The project is located at seven sites along the northern and southern banks of Bear Creek between McKee Road and West 16th Street, Merced County as follows:

- Site 1 is an approximately 1,460-foot-long section along the southern bank of Bear Creek from K Street to Applegate Park (37.312110, -120.475755).
- Site 3 is an approximately 195-foot-long section along the southern bank of Bear Creek at W Street, between 23rd and West 24th Streets (37.31393, -120.49585).
- Site 4 is an approximately 790-foot-long section along the southern bank of Bear Creek located near West 25th and U Street (37.314339, -120.491041).
- Site 5 is located south of East North Bear Creek along the northern bank of Bear Creek at the North Pedestrian Bridge (37.307573, -120.457895).
- Site 6 is an approximately 415-foot-long section along the southern bank of Bear Creek located north of Applegate Park and Zoo (37.313288, -120.485121).
- Site 7 is an approximately 380-foot-long section on the southern bank of Bear Creek along the East North Bear Creek Drive between Wainwright Avenue and Oleander Avenue (37.308084, -120.462463).
- Site 8 is located on the northern bank of Bear Creek near Oleander Avenue (37.308427, -120.462707).

Project Description: Approval of Minor Alteration No. WA2025151, under California Code of Regulations, Title 23, Article 3, Section 6, for work within an adopted plan of flood control: To conduct stabilization and restoration activities at seven sites along Bear Creek as follows:

- Site 1: To authorize rock slope protection (RSP) installed during the January 2023 flood events; construct temporary access for erosion repair; place approximately 9,627.8 cubic yards (cy) of RSP at four individual sites; repair the bike path; remove 0.02 acres of invasive vegetation; restore bank slope to original line and grade; and restore access area to pre-project conditions.
- Site 3: To authorize RSP installed during the January 2023 flood events; install approximately 0.06 acres of erosion control methods located approximately 50 feet beyond the downstream and immediately upstream from the edges of the existing RSP; remove approximately 0.28 acres of invasive vegetation; restore the bank slope to original line and grade; and restore access area to pre-project conditions.
- Site 4: To construct temporary access for erosion repair; place approximately 2,678.3 cy of compacted fill and 1,573.5 cy of RSP using a benching construction method; repair the bike path; remove approximately 0.35 acres of invasive vegetation; restore the bank slope to original line and grade; and restore access area to pre-project conditions.
- Site 5: To remove approximately 0.11 acres of invasive vegetation and dispose of outside of the floodway.
- Site 6: To construct temporary access for erosion repair; place approximately 1,527.6 cy of RSP; repair the bike path; restore bank slope to original line and grade; and restore access area to pre-project conditions.

- Site 7: To construct temporary access for erosion repair; install approximately 1,709.63 cy of RSP; repair the bike path; remove approximately 0.12 acres of invasive vegetation; restore bank slope to original line and grade; and restore access area to pre-project conditions.
- Site 8: To construct temporary access for erosion repair; repair the bike path; install approximately 0.08 acres of erosion control; restore bank slope to original line and grade; and restore access area to pre-project conditions.

This is to advise that the Board, as the **Responsible Agency**, approved the above-described project on 1/20/2026 and made the following determinations regarding the above-described project:

1. The project [☐ will / ☒ will not] have a significant effect on the environment (This determination is limited to effects within the Board's jurisdiction as a responsible agency).
2. [☐ An Environmental Impact Report (EIR) / ☒ A Mitigated Negative Declaration] was prepared by the lead agency for the original project.
3. Additional mitigation measures [☐ were / ☒ were not] made a condition of the Board's approval of the project.
4. A Mitigation Monitoring and Reporting Plan [☐ was / ☒ was not] adopted by the Board for this project.
5. A Statement of Overriding Considerations [☐ was / ☒ was not] adopted by the Board for this project.
6. Findings [☒ were / ☐ were not] made by the Board pursuant to the provisions of CEQA.

Responsible Agency Statement: The Mitigated Negative Declaration, prepared by the lead agency for the project, is available to the general public at the lead agency's office listed above. The Board's administrative record related to the minor alteration is available for public review at the Board's office.

Chris Lief

1/20/2026

Signature

Chris Lief, Executive Officer

Date

Date Received for filing at Office of Land Use and Climate Innovation:

Authority cited: Sections 21083, Public Resources Code.

Reference: Sections 21100-21174, Public Resources Code.