

Proposed Regulatory Language

749.14, Title 14, California Code of Regulations, is added to read:

§749.14 Take of Morro Manzanita (*Arctostaphylos morroensis*) During Candidacy Period.

- (a) The commission authorizes the take of Morro manzanita during the candidacy period for the South Bay Boulevard Bridge Replacement Project in San Luis Obispo County, California, and accompanying mitigation and restoration actions, provided that the County of San Luis Obispo does all of the following:
 - (1) Implements and adheres to all terms, conditions, and measures in the Biological Opinion, Incidental Take Statement (2022-0025695-S7) dated April 25, 2022, and final Habitat Mitigation and Monitoring Plan for the South Bay Boulevard Bridge Replacement Project, San Luis Obispo County, California;
 - (2) Implements and adheres to all terms, conditions, and measures in the initial study/mitigated negative declaration for the South Bay Boulevard Bridge Replacement Project, ED20-217 (300455) (SCH 2021070094) dated April 2019;
 - (3) Implements and adheres to all terms and conditions, including standard and special conditions, in Coastal Development Permit CDP 3-22-0826 for the South Bay Boulevard Bridge Replacement Project, issued July 17, 2023; and
 - (4) Provide the department, by emailing NativePlants@wildlife.ca.gov, with copies of all reports and notices relating to Morro manzanita that it is required to provide to the United States Fish and Wildlife Service pursuant to the Biological Opinion, Incidental Take Statement (2022-0025695-S7), and the final Habitat Mitigation and Monitoring Plan for the South Bay Boulevard Bridge Replacement Project, San Luis Obispo County, California;
- (b) Nothing in this section is intended to be nor shall be construed to be a general project or activity approval. It shall be the responsibility of the County of San Luis Obispo to obtain all necessary permits and approvals and to comply with all applicable federal, state, and local laws.

Note: Authority cited: Section 2084, Fish and Game Code.

Reference: Section 2084, Fish and Game Code.