

**NOTICE OF EXEMPTION**

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**TO: Santa Barbara County Clerk of the Board of Supervisors**

**FROM: Department of Public Works/Transportation Division**  
(Lead Department/Division)

Based on a preliminary review of the project the following activity is determined to be exempt from further environmental review requirements of the California Environmental Quality Act (CEQA) of 1970 (Pub. Res. Code Section 21000 et seq.), as defined in the State CEQA Guidelines and County Revised CEQA Guidelines.

**APN(s) ROW Project No. 862416 Phase I**

**LOCATION:** Modoc Road between City/County line and Via Senda of the Second Supervisorial District.

**PROJECT TITLE:** Modoc Road Multimodal Path Gap Closure Phase I

**PROJECT DESCRIPTION:** The proposed project involves design and construction of an approximately 1,550 foot-long separated multiuse pathway, resurfacing and restriping the roadway to improve facilities for bicyclists and pedestrians in County right-of-way along Modoc Road. The proposed pathway would provide a connection between Santa Barbara’s City and County coastal bike routes, the neighborhoods adjacent the path, and nearby parks and beaches. The proposed bike path begins at the City of Santa Barbara and County of Santa Barbara boundary on Modoc Road in the Eastern Goleta Valley Community Plan area of unincorporated Santa Barbara County and continues to the Via Senda and Modoc Road intersection. The path would provide a paved multiuse path surface with and provide for two-way directional travel. The width of the multi-use path would vary depending on constraints such as slope and available right of way but in most cases would range between 10 to 12 feet in width. Earth retaining systems will be incorporated to minimize the project footprint. The roadway would be resurfaced and restriped to improve the bike lane facilities within the roadway adjacent to the multi-use trail. Equipment and vehicles associated with the project would be fueled from a maintenance vehicle located away from drainages and residences. No storage of fuel is proposed at or near the project site. This exemption considers all future administrative activities for this project such as Award of Contract and Statement of Final Quantities.

Name of Public Agency Approving Project: County of Santa Barbara

Name of Person or Agency Carrying Out Project: Public Works Transportation Division

**Exempt Status: (Check one)**

- Ministerial
- Statutory Exemption
- Categorical Exemption {15304 (h)}
- Emergency Project
- Declared Emergency

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**Cite specific CEQA and/or CEQA Guideline Section:** 15304: Class 4 consists of minor public or private alterations in the condition of land, water, and/or vegetation which does not involve removal of healthy, mature, scenic trees for (h) the creation of bicycle lanes on existing right of way.

**Reasons to support exemption findings:** The project involves minor grading, small earth retaining systems and paving for the construction of a bike path to facilitate safe pedestrian and bicycle travel to adjoin the City of Santa Barbara's bike path facilities and continue north-west in County jurisdiction. Consistent with this exemption, this proposed project does not occur on land with a slope of more than ten percent. The project is not located in any wetland or an officially designated (by federal, state, or local government action) scenic area, or in an officially mapped area of severe geologic hazard. The proposed bike path is in a location where there would be no changes in street capacity significantly affecting the level of service.

There is no substantial evidence that there are unusual circumstances (including future activities) resulting in (or which might reasonably result in) significant impacts which threaten the environment. The exceptions to the categorical exemptions pursuant to Section 15300.2 of the State CEQA Guidelines are:

- (a) **Location. Classes 3, 4, 5, 6, and 11 are qualified by consideration of where the project is to be located -- a project that is ordinarily insignificant in its impact on the environment may in a particularly sensitive environment be significant. Therefore, these classes are considered to apply all instances, except where the project may impact on an environmental resource of hazardous or critical concern where designated, precisely mapped, and officially adopted pursuant to law by federal, state, or local agencies.**

CEQA Guidelines Section 15304 is a Class 4 exemption; therefore, this exception does not apply as this area is not in a mapped environmentally sensitive habitat area or in an officially mapped area of severe geologic hazard or officially designated (by federal, state, or local government action) scenic area.

- (b) **Cumulative Impact. All exemptions for these classes are inapplicable when the cumulative impact of successive projects of the same type in the same place, over time is significant.**

The project involves construction a public bike path for pedestrian safety there are no other projects proposed in the same area, thus this exception does not apply.

- (c) **Significant Effect. A categorical exemption shall not be used for an activity where there is a reasonable possibility that the activity will have a significant effect on the environment due to unusual circumstances.**

The project does not involve and is not located in any wetland or an officially designated environmentally sensitive habitat area, or in officially mapped areas of severe geologic hazard. Therefore, are no unusual circumstances which would create a possibility that there would be a significant effect on the environment and this exception does not apply.

- (d) **Scenic Highways. A categorical exemption shall not be used for a project which may result in damage to scenic resources, including but not limited to, trees, historic buildings, rock outcroppings, or similar resources, within a highway officially designated as a state scenic highway. This does not apply to improvements which are required as mitigation by an adopted negative declaration or certified EIR.**

The project does not involve a scenic highway or a project which may result in damage to a scenic resource, removal of trees, rock outcropping or similar resource. Therefore, this exception does not apply

- (e) **Hazardous Waste Sites.** A categorical exemption shall not be used for a project located on a site which is included on any list compiled pursuant to Section 65962.5 of the Government Code.

The project area was searched for hazardous material cleanup sites and permitted facilities using the ENVIRSTOR database There are no hazardous wastes site or permitted facilities are located in the area. Therefore, this exception does not apply.

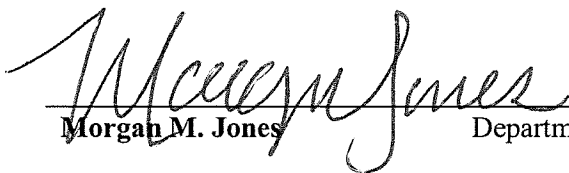
- (f) **Historical Resources.** A categorical exemption shall not be used for a project which may cause a substantial adverse change in the significance of a historical resource.

The roadway involved is not identified as a historical resource. The project area was reviewed and it was determined there are no cultural or historical resources in the project area. Therefore, this exception does not apply.

Lead Agency Contact Person: Chris Sneddon, Deputy Director Public Works Transportation/Engineering Division, Phone: (805) 568-3064

Department/Division Representative: Morgan M. Jones, Senior Engineering Environmental Planner,

Acceptance Date: **January 26, 2021**



Morgan M. Jones

Department Representative

Date

December 8, 2020

**NOTE:** A copy of this document must be posted with the County's Planning & Development Department at least 6 days prior to consideration of the activity by the decision-makers to comply with County CEQA guidelines and a copy must be filed with the County Clerk of the Board after project approval to begin a 35-day statute of limitations on legal challenges.

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