

## NOTICE OF EXEMPTION

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

**FROM:** Maureen Spencer, Santa Barbara County Flood Control

The project or activity identified below is determined to be exempt from further environmental review requirements of the California Environmental Quality Act (CEQA) of 1970, as defined in the State and County Guidelines for the implementation of CEQA.

**APN:** 089-011-036

**Case No.** N/A

**Location:** Lompoc, CA

**Project Title:** North Avenue Storm Drain Improvements Project and Joint Powers Agreement (JPA) Approval.

**Project Description:** This project will provide additional storm drain pipes, manholes and drop inlet structures at the intersection of H Street and North Avenue and drain the area into the East-West Channel in the City of Lompoc. The activity also includes the approval of a JPA between the City of Lompoc and the Santa Barbara County Flood Control District which outlines the roles and responsibilities of both the City of Lompoc and the Flood Control District for design and project implementation, subject to the availability of funds.

**Name of Public Agency Approving Project:** Santa Barbara County Flood Control Board of Directors

**Name of Person or Agency Carrying Out Project:** Santa Barbara County Flood Control District

**Exempt Status:** (Check one)

- Ministerial
- Statutory Exemption
- Categorical Exemption
- Emergency Project
- Declared Emergency
- No Project

**Cite specific CEQA and/or CEQA Guideline Section:** CEQA Section 15378 (b)4, Funding Mechanism is cited for the No Project action associated with the approval of the JPA and CEQA Section 15304, Minor Alterations to Land is cited for the construction portion of the North Avenue Storm Drain Improvements Project.

## Reasons to support exemption findings:

Approval of the JPA allows the funding mechanism and project responsibilities to be outlined and agreed to between the City of Lompoc and the Santa Barbara County Flood Control District. The JPA does not commit the County to carrying out or funding the project if funds become unavailable and does not remove any environmental review requirements associated with the implementation of the project.

Additionally the construction portion of the North Avenue Storm Drain Improvements Project is exempt from CEQA Section 15304 (f) Minor Alterations to Land because:

“Class 4 consists of minor public or private alterations in the condition of land, water, and/or vegetation which do not involve removal of healthy, mature, scenic trees except for forestry or agricultural purposes. Examples include, but are not limited to:

(f) Minor trenching and backfilling where the surface is restored.”

This project will occur within existing hardscape (roadway, parking lot) and an archaeological records search and impacts assessment was performed in November 2010 by Dudek in order to ensure there would be no impacts to archaeology, and quoted below.

“The assessment is based on results of an archaeological site records and literature search of the California Historical Resources Information System at the Central Coast Information Center (CCIC), and consideration of previous ground disturbances in the project area. Based on our research, no archaeological resources are recorded in the project area, and the potential for an intact, potentially significant archaeological site to be located within the project area is low. Therefore, the potential for the “H” Street and North Avenue Storm Drain project construction to impact potentially significant archaeological resources is considered very low.”  
Dudek 2010

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.**

The project will occur within existing hardscape (roadway and parking lot) outside of any sensitive environment, therefore this exception does not apply.

**(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.**

All areas of this project have been previously disturbed, this project will not result in new impacts, and there are no other identified projects which would contribute to cumulative impacts, therefore 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.**

This project is being conducted within a roadway and parking lot which have all been previously disturbed and will not result in a significant effect on the environment. Additionally, an archeological records search and impacts assessment by an independent consultant ensure there would be no impacts to archeology, therefore 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 is not located along a scenic highway and will not result in damage to any scenic resources, 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 parcels covered by this project are not listed as a hazardous waste site, 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 parcels covered by this project are not identified as a historic resource, therefore this exception does not apply.

Lead Agency Contact Person: Jon Frye Phone #: 568-3440

Department/Division Representative: *Mareen Spence* Date: Oct 4, 2011

Acceptance Date: \_\_\_\_\_

distribution: Hearing Support Staff

Date Filed by County Clerk: \_\_\_\_\_

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