

TO: Santa Barbara County Clerk of the Board of Supervisors

FROM: Department of Public Works/Flood Control District (District)
(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) 090-341-022 Project No. N/A

LOCATION: Santa Maria River Levee at Highway 101, Fifth Supervisor District

PROJECT TITLE: Amendment # 2 to the Santa Maria Levee Bikeway Agreement of 2000

PROJECT DESCRIPTION: The City of Santa Maria has paved the bike path gap of approximately 375 feet, between the existing City paved path and existing Caltrans paved path. The City of Santa Maria agreed to incorporate this new work into their bike path system. Amendment #2; License Agreement to the Santa Maria Levee Bikeway Agreement of 2000, indemnifies the District for use of the bike path and acknowledges that the City of Santa Maria will be responsible for inspection and maintenance of that path. Approval of the Amendment by the Board is necessary to comply with the District's Secondary Use Policy.

Name of Public Agency Approving Project: County of Santa Barbara

Name of Person or Agency Carrying Out Project: Flood Control District

Exempt Status: (Check one)

- Ministerial
 Statutory Exemption
 Categorical Exemption
 Emergency Project
 Declared Emergency

Cite specific CEQA and/or CEQA Guideline Section: 15301 Existing Facilities – "...consists of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of use beyond that existing at the time of the lead agency's determination, including but not limited to (c) Existing highways and streets, sidewalks, gutters, bicycle and pedestrian trails, and similar facilities.

Reasons to support exemption findings: Consistent with this exemption, this proposed project involves the amendment of an existing License Agreement between the City of Santa Maria and the Flood Control District for a bike path along the Santa Maria River Levee which is owned by the District. The bike path will be inspected and maintained by the City of Santa Maria. Further, there are no unusual

circumstances which would create a possibility that there would be a significant effect. Therefore, this project can be found to be categorically exempt from CEQA.

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 15301 is a Class 1 exemption; 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.

The project involves an amendment to a License Agreement for an existing bike path. In addition, 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.

The project involves the approval of an amendment to a License Agreement for maintenance of an existing bike path. 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 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.

- (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.

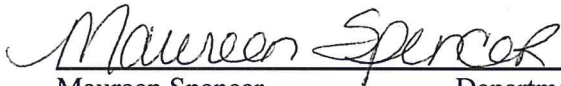
There are no hazardous wastes site locations associated with this project. Therefore, this exception does not apply.

- (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 Santa Maria River Levee is not identified as a historical resource and the project will not cause substantial adverse change to the structure. Therefore, this exception does not apply.

Lead Agency Contact Person: Jon Frye, Engineering Manager, Flood Control District/Water Resources Division, Phone: (805) 568-3440

Department/Division Representative: Maureen Spencer, Operations and Environmental Manager



Maureen Spencer

Department Representative

8-27-14

Date

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.

POSTED

AUG 27 2014

**SB County
Planning and Development**

Distribution: Date filed with Planning & Development:

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