

## NOTICE OF EXEMPTION

TO: Santa Barbara County Clerk of the Board of Supervisors

FROM: Santa Barbara County Public Works Department, Transportation Division

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(s): Various Case No: Not Applicable

Location: Countywide

**Project Title:** Emergency Response Actions from Impacts of Storms and Continuation of Emergency Actions

**Project Description:** This Board item reports on and recommends continuing the emergency actions and work being done pursuant to the Public Works Director's authority under Resolution No. 19-327 for the 2023 winter storms (23STM1 and 23STM2) and the 2024 winter storms (24STM1 and 24STM2). This report adds Refugio Road culvert storm damage to list of emergency repair work listed in Attachment B.

Public Contract Code section 22050(b)(3) and (c)(2), requires the Public Works Department to regularly report on current emergency response work actions ordered by the Public Works Director pursuant to the delegated authority (see Attachment B). This allows the Board to comply with the statutory requirement to review the emergency action and determine by a four-fifths vote whether there is a need to continue the action.

Following the Board's initial review of the emergency actions, Public Contract Code Section 22050(c)(2) requires the Public Works Department to request that the Board review the emergency action at the next regular meeting, or every 14 days in the case of consecutive weekly regular meetings, and determine by a 4/5 vote that there is a need to continue the action until the action is terminated. Public Contract Code Section 22050 (c)(3) requires terminating the action at the earliest possible date that conditions warrant so that the remainder of the emergency response can be completed through normal competitive bid procedures.

Disaster response and recovery processes are actively in progress. The extended timeframe of these operations are a result of the extent and severity of damage, the multi-jurisdictional collaboration at some damage sites, and staff's attention to federal procedures and guidelines to maximize reimbursement. Public Works is planning to continue emergency operations with expedited procurement to ensure public safety and access to roadways and prevent from further exacerbation of vulnerable locations across the county.

Name of Public Agency Approving Project: County of Santa Barbara

Name of Person or Agency Carrying Out Project: Santa Barbara County Public Works Department, Transportation Division

**Exempt Status:**

- Ministerial
- Statutory Exemption
- Categorical Exemption
- Emergency Project
- Declared Emergency

**Cite specific CEQA and/or CEQA Guideline Section:**

Section 15269(c): Specific actions necessary to prevent or mitigate an emergency that does not have a low probability of occurrence. The State of California proclaimed a state of emergency for eight counties, including Santa Barbara County, on February 4, 2024. On February 4, 2024, Santa Barbara County proclaimed a local emergency due to powerful storms beginning January 31, 2024.

Lead Agency Contact Person: Kalani Durham Phone #: (805) 568-3110

Department/Division Representative: Kalani Durham Date: May 10, 2024

Signature: *Kalani Durham*

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

Upon project approval, this form must be filed with the County Clerk of the Board and posted by the Clerk of the Board for a period of 30 days to begin a 35 day statute of limitations on legal challenge

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

EXECUTIVE DEPARTMENT  
STATE OF CALIFORNIA

**PROCLAMATION OF A STATE OF EMERGENCY**

**WHEREAS** on February 4, 2024, I proclaimed a State of Emergency to exist in Los Angeles, Orange, Riverside, San Bernardino, San Diego, San Luis Obispo, Santa Barbara, and Ventura counties due to the early February 2024 winter storms; and

**WHEREAS** these severe winter storms also struck Alameda, Butte, Glenn, Lake, Mendocino, Monterey, Sacramento, San Francisco, Santa Cruz, Sonoma, and Sutter counties causing widespread river and coastal flooding, flash flooding, high surf conditions, mudslides, and debris flows threatening life and safety, structures, and other critical infrastructure; and

**WHEREAS** the impacts from these winter storms caused significant damage to highways and roadways and widespread damage to public property; and

**WHEREAS** these winter storms have predominantly impacted public infrastructure and resulted in significant costs to state and local governments; and

**WHEREAS** state and federal tax postponement is intended to provide targeted tax relief to individuals and businesses impacted by State-declared emergencies or disasters; and

**WHEREAS** under the provisions of Government Code section 8558(b), I find that conditions of extreme peril to the safety of persons and property exist due to these winter storms; and

**WHEREAS** under the provisions of Government Code section 8558(b), I find that the conditions caused by these winter storms, by reason of their magnitude, are or are likely to be beyond the control of the services, personnel, equipment, and facilities of any single local government and require the combined forces of a mutual aid region or regions to appropriately respond; and

**WHEREAS** under the provisions of Government Code section 8625(c), I find that local authority is inadequate to cope with the magnitude of the damage caused by these winter storms; and

**WHEREAS** under the provisions of Government Code section 8571, I find that strict compliance with various statutes and regulations specified in this Proclamation would prevent, hinder, or delay the mitigation of the effects of these winter storms.

**NOW, THEREFORE, I, GAVIN NEWSOM**, Governor of the State of California, in accordance with the authority vested in me by the State Constitution and statutes, including the California Emergency Services Act, and in particular, Government Code section 8625, **HEREBY PROCLAIM A STATE OF EMERGENCY** to exist in Alameda, Butte, Glenn, Lake, Mendocino, Monterey, Sacramento, San Francisco, Santa Cruz, Sonoma, and Sutter counties due to the impacts of these winter storms.

**IT IS HEREBY ORDERED THAT:**

1. All operative provisions contained in my February 4, 2024, State of Emergency Proclamation are hereby incorporated and applicable to Alameda, Butte, Glenn, Lake, Mendocino, Monterey, Sacramento, San Francisco, Santa Cruz, Sonoma, and Sutter counties as a result of the storms identified in this and the previous Proclamation.
2. The California Department of Transportation shall formally request immediate assistance, as appropriate, through the Federal Highway Administration's Emergency Relief Program, United States Code, Title 23, section 125, in order to obtain federal assistance for highway repairs, reconstruction, or restoring access to roadways impacted by these winter storms.
3. The restrictions set forth in Penal Code section 396, which are automatically triggered upon proclamation of a State of Emergency, are suspended, and no such restrictions are imposed, for Alameda, Mendocino, San Francisco, and Sonoma counties in connection with these winter storms.
4. Revenue and Taxation Code section 18572, relating to the postponement of certain tax-related deadlines pursuant to Internal Revenue Code section 7508A, is suspended and shall not apply in connection with an Emergency Declaration or Presidential Major Disaster Declaration providing only Public Assistance in response to these winter storms and/or the State of Emergency proclaimed on February 4, 2024, and herein in connection with these winter storms.

**I FURTHER DIRECT** that as soon as hereafter possible, this Proclamation be filed in the Office of the Secretary of State and that widespread publicity and notice be given of this Proclamation.

This Proclamation is not intended to, and does not, create any rights or benefits, substantive or procedural, enforceable at law or in equity, against the State of California, its agencies, departments, entities, officers, employees, or any other person.

**IN WITNESS WHEREOF** I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this 22nd day of March 2024.



GAVIN NEWSOM  
Governor of California

**ATTEST:**

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SHIRLEY N. WEBER, PH.D.  
Secretary of State