

COPY

NOTICE OF EXEMPTION

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TO: Santa Barbara County Clerk of the Board of Supervisors

2024 MAR 20 P 3: 30

FROM: Department of Public Works / Transportation and Water Resources Divisions, Jointly
(Lead Department/Division)

CLERK OF THE BOARD OF SUPERVISORS

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) Right of Way Project No. 56STC

LOCATION: 6600 Block of El Colegio Road, Second Supervisorial District.

PROJECT TITLE: Isla Vista Trash Capture

PROJECT DESCRIPTION:

The Project is to install a hydrodynamic separator for purposes of capturing and removing trash from within the County-owned storm drain.

The purpose of the project is to comply with current health and safety standards of the State Water Resources Control Board (SWRCB) adopted Resolution No. 2015-0019, *Amendment to the Water Quality Control Plan for Ocean Waters of California to Control Trash and Part 1 Trash Provisions of the Water Quality Control Plan for Inland Surface Waters, Enclosed Bays, and Estuaries of California*, also referred to as either the Trash Amendments.

The existing storm drain discharges storm water runoff, untreated, from the northern Isla Vista area into wetlands of Goleta Slough. The area is contaminated with trash. The Project will minimize the amount of future trash and wastes from reaching the wetlands.

The Project activities require excavation below the roadway surface to install a flow diversion weir and hydrodynamic separator within an existing 42-inch storm drain. The separator will prevent particles 5 mm or greater in size from leaving the storm drain during the design storm, as directed by the Trash Amendments. The County's Project Clean Water program will be responsible for the long-term operation and maintenance of the separator along with seven similar units located in the area.

Construction activities and comparable project activities to those included do not require a Coastal Development Permit (Article II, Appendix C Coastal Zoning Ordinance) as required for repair and maintenance of existing public facilities within the right of way. The Project will be buried below the paved surface. The work will be conducted within the road right of way. There

will be no changes to service capacity, no removal of major vegetation, and the site will be restored as close as reasonably possible to its original condition.

Name of Public Agency Approving Project: County of Santa Barbara

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

Exempt Status: (Check one)

- Ministerial
- Statutory Exemption
- Categorical Exemption 15301(c)
- Emergency Project
- Declared Emergency

Cite specific CEQA and/or CEQA Guideline Section: 15301(c) Existing Facilities – Class 1 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. The types of “existing facilities“, itemized below are not intended to be all inclusive of the types of projects which might fall within Class 1. The key consideration is whether the project involves negligible or no expansion of an existing use. Examples include but are not limited to: (c) Existing highways and streets, sidewalks, gutters, bicycle and pedestrian trails, and similar facilities (this includes road grading for the purpose of public safety) and (d) Restoration or rehabilitation of deteriorated or damaged structures, facilities, or mechanical equipment to meet current standards of public health and safety, unless it is determined that the damage was substantial and resulted from an environmental hazard such as earthquake, landslide, or flood;

Reasons to support exemption findings: Consistent with this exemption, this proposed project involves the minor alteration of existing public structures within an existing public road facility. The project provides trash capture as required by the State’s Trash Amendments. 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 projects involve the minor alteration of an existing storm drain to remove trash. 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 there is a reasonable possibility that the activity will have a significant effect on the environment due to unusual circumstances.**

The project involves minor alteration to a publicly-owned storm drain to provide for improvements in public health and safety. The project will occur within and below the roadway itself where no sensitive resources are located. 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, or removal of protected or specimen trees in the public right of way, 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.**

A geotechnical investigation will be conducted prior to construction to determine if hazardous wastes may be present, otherwise there is no known hazardous waste issues within the roadway right of way. 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 is not identified as a historical resource. Therefore, this exception does not apply.

Lead Agency Contact Person: Walter Rubalcava, Deputy Director, Public Works / Water Resources Division, Phone: (805) 568-3435

Department/Division Representative: Cathleen Garnand, Project Clean Water Manager, (805) 568-3561

Acceptance Date: **March 4, 2024**

Distribution: Hearing Support Staff for posting

<i>Cathleen Garnand</i>	Project Clean Water Manager	3/4/2024
Cathleen Garnand	Department Representative	Date

NOTE: A copy of this document must be posted with the County Clerk of the Board after project approval to begin a 35 day statute of limitations on legal challenges

Distribution: Date Filed by County Clerk: _____.