

## NOTICE OF EXEMPTION

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

**FROM:** Gwen Beyeler, Planning & Development

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:** 099-100-067      **Case No.:** 19EMP-00000-00002

**Location:** 2100 Gypsy Canyon, Lompoc

**Project Title:** Gypsy Canyon Creek Bank and Road Repair

**Project Applicant:** Mark Lloyd, L&P Consultants

### **Project Description:**

Gypsy Canyon Road is 20 foot wide paved private road. During the heavy rains experienced on March 2, 2019 (0.84" of rainfall) and March 6, 2019 (1.14" of rainfall), a drainage culvert located under a portion of Gypsy Canyon Road near the western property line on a parcel known as 2100 Gypsy Canyon Road became blocked. The culvert discharges into the adjacent un-named blue line creek. This blockage, along with the continued rain on March 2, 2019 and March 6, 2019, caused a portion of Gypsy Canyon Road to be eroded and damaged. Specifically, 6.5 feet of the Class II paved roadway was destroyed and washed away into the creek bed. The un-named blue line creek bank adjacent to Gypsy Canyon Road was also damaged by the road debris. The blocked culvert located under Gypsy Canyon Road was also damaged and no longer serves its purpose of directing water under the road and into the creek bed. The damage reduced the unusable portion of the road from 20 ft. to 13.5 ft. and caused the Class II road bed to be unstable. The eroded portion of the road and creek bank posed a safety hazard to passersby that rely on the road for access to their properties. The narrowed portion of the road also poses a safety hazard to emergency responders that would be needed in case of an emergency situation on the nearby parcels. Continued erosion from the storm drainage will further erode the road, thereby causing the road to become wholly unusable and creating an exacerbated safety hazard for properties located upstream that are reliant on the road for access.

Repair will consist of placing earthen fill and stabilization blocks in order to re-establish the creek bank to the pre-eroded slope and gradient. The repair includes placement of earthen fill and aggregate base to re-establish the road section. As part of the repair, replacement drainage culverts would be installed and concrete drainage swale would be constructed across the road to direct and discharge collected surface storm runoff. The repair effort will include best management practices for water quality and prevention of siltation of the creek. A biologist will monitor the repair effort to detect and protect any sensitive animal or riparian species. The eroded area is located in the southwest portion of the parcel known as 2100 Gypsy Canyon Road, Lompoc (APN 099-100-067).

**Name of Public Agency Approving Project:** County of Santa Barbara

**Name of Person or Agency Carrying Out Project:** Mark Lloyd, L&P Consultants / Purisima Preserve, LLC (Financially responsible party)

**Exempt Status:** (Check one)

- Ministerial  
 Statutory Exemption  
 Categorical Exemption  
 Emergency Project  
 Declared Emergency

**Cite specific CEQA and/or CEQA Guideline Section:** Cal. Pub. Res. Code Section 2108(b)(4) and CEQA Guidelines Section 15269(b) [Emergency Projects]

**Reasons to support exemption findings:**

CEQA Guidelines Section 15269(b) exempts emergency repairs to publicly or privately owned service facilities necessary to maintain service essential to the public health, safety, or welfare. Gypsy Canyon Road is a private road that provides access to homes located upstream. The erosion of the portion of Gypsy Canyon Road and creek bank as well as the damage to the existing culvert pose a safety hazard to the up-stream parcels. Additionally, the road is not useable for usual traffic since 6.5 feet of the 20-foot wide road has been eroded. If the repair does not take place, further erosion is possible, which would make the entire width of the road unusable. Therefore, the repair project is necessary to maintain service essential to public health, safety, and welfare.

There is no substantial evidence that the proposed project involves 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 repair project site is located entirely outside of any designated or existing Environmentally Sensitive Habitat (ESH) areas. There are no other designated or mapped environmental resources of hazardous or critical concern on or adjacent to the repair site.

- (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.**

Successive repair projects would only take place in the instance of destructive erosion, and thus similar projects occurring in the same place over time would not have a cumulative impact of any kind.

- (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.**

There is no possibility for significant environmental effects on the environment as the repair project would be minor in nature. No trees are proposed to be removed and the use of the repair site is not proposed to be changed. There are no unusual circumstances on the site or in the area that would change this conclusion.

- (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 parcel is not visible to travelers on a scenic highway.

- (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 is not located on a hazardous waste site.

- (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 project is not located near a historical resource and would not cause any substantial adverse change to a historical resource.

**Lead Agency Contact Person:** Gwen Beyeler, Case Planner

**Phone #:** (805) 934-6269 **Department/Division Representative:** \_\_\_\_\_

**Date:** \_\_\_\_\_

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

**Distribution:** Hearing Support Staff

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