

Attachment 2

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CEQA – NOTICE OF EXEMPTION

NOTICE OF EXEMPTION

TO: Santa Barbara County Clerk of the Board of Supervisors

FROM: General Services Department/Real Property 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, as defined in the State and County Guidelines for the implementation of CEQA.

APN(s) 039-183-035 and 029-121-022 Case No. Real Property File No. 003923

LOCATION: City of Santa Barbara public right-of-way between 105 East Anapamu Street and the corner of Anacapa and Carrillo Streets in the City of Santa Barbara.

PROJECT TITLE: ICT License Agreement for Santa Barbara City Fiber Conduit on Anacapa St

PROJECT DESCRIPTION: License Agreement between the County of Santa Barbara (“County”) and the City of Santa Barbara (“City”) for the County to install a single 48-strand fiber optic cable and associated equipment within City-owned conduit facilities located in the City of Santa Barbara public right-of-way.

EXEMPT STATUS: (Check One)

- Ministerial
- Statutory
- X Categorical Exemption [Section 15301]
- Emergency Project
- No Possibility of Significant Effect

CEQA Guideline Sections: 15301 [*Existing Facilities*]

Reasons to support exemption findings: The proposed action is categorically exempt from environmental review pursuant to Section 15301 of the Guidelines for Implementation of the California Environmental Quality Act (CEQA), which allows for 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 existing or former use.

With regard to the proposed project, the exceptions to the Existing Facilities categorical exemption that must be considered 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 in all instances, except where the project may impact on an environmental resources of hazardous or critical concern where designated, precisely mapped, and official adopted pursuant to law by federal, state, or local agencies.*

Section 15301 is a Class 1 Categorical Exemption; therefore, this exception is not applicable.

- (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.*

There are no successive projects of the same type in the same place anticipated for this location. There is no cumulative impact and, 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 County's proposed License Amendment will not result in any physical changes outside the licensed area or impacts to the environment and therefore will not result in a significant effect on the environment.

- (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.*

There are no state scenic highways in the project area. 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.*

This proposed project is not located on a site which is included on any list compiled pursuant to Section 65962.5 of the Government Code. Therefore, it is not located on a hazardous waste site and 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 proposed project does not involve historical resources. This exception does not apply.

As described above, none of the exceptions to the categorical exemptions contained within Section 15300.2 of the State CEQA Guidelines apply to this project.

Local Agency Contact Person: Janette D. Pell **Phone:** (805) 560-1011

 10-22-19
Department /Division Representative Date

NOTE: A copy of this document must be posted with the County's Planning and 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.

Distribution: Board of Supervisors

DATE FILED WITH CLERK OF THE BOARD