

Notice of Determination

Appendix D

To:
Office of Planning and Research
U.S. Mail: P.O. Box 3044 Sacramento, CA 95812-3044
Street Address: 1400 Tenth St., Rm 113 Sacramento, CA 95814

County Clerk
County of: Santa Barbara
Address: 105 E Anapamu St Santa Barbara CA 93101

From:
Public Agency: SB County Flood Control District
Address: 130 E Victoria St Suite 200 Santa Barbara CA 93101
Contact: Andrew Raaf
Phone: 805-722-7250

Lead Agency (if different from above):
City of Santa Barbara
Address: 630 Garden St Santa Barbara CA 93101
Contact:
Phone: 805-564-5578

SUBJECT: Filing of Notice of Determination in compliance with Section 21108 or 21152 of the Public Resources Code.

State Clearinghouse Number (if submitted to State Clearinghouse): 1998101061

Project Title: Lower Mission Creek Flood Control Project

Project Applicant: City of Santa Barbara, County of Santa Barbara

Project Location (include county): Santa Barbara, CA Santa Barbara County

Project Description:
See attached

RECEIVED
2023 AUG 30 P 2:30
BOARD OF SUPERVISORS

This is to advise that the Santa Barbara County Flood Control District has approved the above (Lead Agency or Responsible Agency)

described project on (date) and has made the following determinations regarding the above described project.

- 1. The project will will not have a significant effect on the environment.
2. An Environmental Impact Report was prepared for this project pursuant to the provisions of CEQA.
3. Mitigation measures were were not made a condition of the approval of the project.
4. A mitigation reporting or monitoring plan was was not adopted for this project.
5. A statement of Overriding Considerations was was not adopted for this project.
6. Findings were were not made pursuant to the provisions of CEQA.

This is to certify that the final EIR with comments and responses and record of project approval, or the negative Declaration, is available to the General Public at:

130 E Victoria St Suite 200 Santa Barbara CA 93101

Signature (Public Agency): Title: Environmental Manager

Date: 8/2/2023 Date Received for filing at OPR:

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Project Location (include county): Santa Barbara, CA Santa Barbara County

Project Description:

See attached

This is to advise that the Santa Barbara County Flood Control District has approved the above (Lead Agency or Responsible Agency)

described project on (date) and has made the following determinations regarding the above described project.

- 1. The project will have a significant effect on the environment.
2. An Environmental Impact Report was prepared for this project pursuant to the provisions of CEQA.
3. Mitigation measures were made a condition of the approval of the project.
4. A mitigation reporting or monitoring plan was adopted for this project.
5. A statement of Overriding Considerations was adopted for this project.
6. Findings were made pursuant to the provisions of CEQA.

This is to certify that the final EIR with comments and responses and record of project approval, or the negative Declaration, is available to the General Public at:

130 E Victoria St Suite 200 Santa Barbara CA 93101

Signature (Public Agency) Andrew Raaf Title: Environmental Manager

Date: 8/2/2023 Date Received for filing at OPR:

Notice of Determination - Project Description
Lower Mission Creek Flood Control Project, Reach 4
August 22, 2023

The described action is to approve, adopt, and authorize a Resolution of Necessity for the acquisition of the fee interest in the real property for Reach 4 of the Lower Mission Creek Flood Control Project consisting of temporary and permanent easements located at 430 and 432 De La Vina Street (APN: 037-203-021); 428 De La Vina Street (APN: 037-203-020); 426 De La Vina Street (APN: 037-203-019); 414 De La Vina Street, Common Area Lot 1 (APN: 037-500-CA001); and 124 West Gutierrez Street (APN: 037-203-011).

The Lower Mission Creek Flood Control Project (Project) is a Federal U.S. Army Corps of Engineers (Corps) Project that has been under study and development since the 1960's. The Corps completed a feasibility study in 2000. The County and City of Santa Barbara are constructing the Project in sections (Reaches) as funding becomes available. As a locally funded project, the Santa Barbara County Flood Control and Water Conservation District (District) is responsible for the right-of-way acquisition associated with the Lower Mission Creek Flood Control Project, consisting of permanent and temporary easements.

This includes negotiating for acquisition of real property interests required to facilitate the construction of the improvements. Acquisition of the necessary property rights is required prior to access and commencement of construction of the flood control improvements related to the Project. The District is required to commence and complete construction of the Project within a very specific, seasonal time frame.

In order to advance the Project and subsequently operate and maintain the facilities associated with the newly constructed improvements, the District must acquire temporary construction easements and permanent easements across the five parcels.

No substantial changes are proposed in the Project as the District proposes to undertake the same actions as those analyzed in the EIR/EIS. No substantial changes have, or are anticipated to occur, with respect to the circumstances under which the Project is being undertaken. There have been no substantial changes to conditions since the EIR/EIS analysis, and no changes that would require substantial revisions to the EIS/EIR due to the involvement of new information, new significant environmental effects, or a substantial increase in the severity of previously identified significant effects. In summary, because none of the conditions in State CEQA Guidelines Section 15162 have occurred with respect to the Project, no subsequent EIR or Negative Declaration is required to approve, adopt, and authorize the Resolution of Necessity.

D-1-C



2023 CEQA Transmittal Memorandum

County of Santa Barbara - Clerk of the Board of Supervisors

105 E. Anapamu St. Room 407 • Santa Barbara • CA • 93101

(805) 568-2240

Complete this form when filing a Negative Declaration, Mitigated Negative Declaration, Environmental Impact Report or Notice of Exemption.

You will need to submit one original for posting plus one copy for the Department of Fish & Wildlife. A scanned copy including the date/time of posting will be emailed to the Lead Agency and Project Applicant. If you would like a return copy, please submit an extra copy along with a pre-addressed, stamped envelope.

Contact Person Matt Griffin		Phone 805-568-3444	
Lead Agency Santa Barbara County Flood Control & Water Conservation District		Lead Agency Email mgriff@countyofsb.org	
Project Title Resolution of Necessity for the Lower Mission Creek Flood Control Project, Reach 4			
Project Applicant Andrew Raaf	Email asraaf@countyofsb.org	Phone (805) 568-3437	
Project Applicant Address 130 E. Victoria Street, STE 200	City Santa Barbara	State CA	Zip 93101

DOCUMENT BEING FILED:

<input type="checkbox"/> Environmental Impact Report (EIR)	
<input type="checkbox"/> 2023 Filing Fee	\$3,839.25
<input type="checkbox"/> Previously Paid (must attach receipt)	\$0.00
<input type="checkbox"/> No Effect Determination (must be attached)	\$0.00
<input type="checkbox"/> Negative Declaration or Mitigated Negative Declaration	
<input type="checkbox"/> 2023 Filing Fee	\$2,764.00
<input type="checkbox"/> Previously Paid (must attach receipt)	\$0.00
<input checked="" type="checkbox"/> No Effect Determination (must be attached)	\$0.00
<input type="checkbox"/> Notice of Exemption	\$0.00
<input checked="" type="checkbox"/> County Administrative Handling Fee (required for all filings, effective 7/19/18)	\$50.00

TOTAL: **\$ 50.00**

PAYMENT METHOD: ALL APPLICABLE FEES MUST BE PAID AT THE TIME OF FILING

Cash Credit Card Check # _____ Journal Entry # _____
(in person only)

Journal Entry

Document Number: JE - 0253452
 Document Description: CEQA FEE-RESOLUTION FOR LMC REACH 4
 Post On: 8/1/2023

Batch ID: 2808081
 Processed On:
 Processed By:

Created On: 8/1/2023 3:36:24 PM
 Created By: Cindy Gonzalez

References

Audit Trail: Cash Type: 1 - Interfund

Accounting

Fund	Dept	GL Acct	LI Acct	Debit Amount	Credit Amount	Prog	OUunit	Proj	Act	Area	Equip	Depositor	Description
2610	054	2810	8400	50.00		3005		SC8042					CEQA FILING FEE-RESOLUTION FOR LMC PROJECT REACH 4
2610		0110			50.00								CEQA FILING FEE-RESOLUTION FOR LMC PROJECT REACH 4
0001	012	2710	5746	50.00		4020							CEQA FILING FEE-RESOLUTION FOR LMC PROJECT REACH 4
			Total	100.00	100.00								CEQA FILING FEE-RESOLUTION FOR LMC PROJECT REACH 4

Signatures

Signed By: Cindy Gonzalez
 Approval Level: 054-Public Works
 Department/Agency-Fund Group: 054-Public Works
 Signed On: 8/1/2023 3:42:33 PM
 Valid: Y



State of California - Department of Fish and Wildlife
2023 ENVIRONMENTAL DOCUMENT FILING FEE
CASH RECEIPT
 DFW 753.5a (REV. 01/01/23) Previously DFG 753.5a

Print **StartOver** **Save**

RECEIPT NUMBER:
 42 — 08/31/2023 — 222
 STATE CLEARINGHOUSE NUMBER (If applicable)

SEE INSTRUCTIONS ON REVERSE. TYPE OR PRINT CLEARLY.

LEAD AGENCY SB County Flood Control & Water Conservation Dist	LEAD AGENCY EMAIL mgriff@countyofsb.org	DATE 08/31/2023
COUNTY/STATE AGENCY OF FILING Santa Barbara		DOCUMENT NUMBER

PROJECT TITLE

Resolution of Necessity for the Lower Mission Creek Flood Control Project, Reach 4

PROJECT APPLICANT NAME Andrew Raaf	PROJECT APPLICANT EMAIL asraaf@countyofsb.org	PHONE NUMBER (805) 568-3437
PROJECT APPLICANT ADDRESS 130 E. Victoria Street, STE 200	CITY Santa Barbara	STATE CA
		ZIP CODE 93101

PROJECT APPLICANT (Check appropriate box)

- Local Public Agency
 School District
 Other Special District
 State Agency
 Private Entity

CHECK APPLICABLE FEES:

- | | | | |
|---|------------|----|------|
| <input type="checkbox"/> Environmental Impact Report (EIR) | \$3,839.25 | \$ | 0.00 |
| <input type="checkbox"/> Mitigated/Negative Declaration (MND)(ND) | \$2,764.00 | \$ | 0.00 |
| <input type="checkbox"/> Certified Regulatory Program (CRP) document - payment due directly to CDFW | \$1,305.25 | \$ | 0.00 |
|
 | | | |
| <input checked="" type="checkbox"/> Exempt from fee | | | |
| <input checked="" type="checkbox"/> Notice of Exemption (attach) | | | |
| <input type="checkbox"/> CDFW No Effect Determination (attach) | | | |
| <input type="checkbox"/> Fee previously paid (attach previously issued cash receipt copy) | | | |

- | | | | |
|---|----------|----|-------|
| <input type="checkbox"/> Water Right Application or Petition Fee (State Water Resources Control Board only) | \$850.00 | \$ | 0.00 |
| <input checked="" type="checkbox"/> County documentary handling fee | | \$ | 50.00 |
| <input type="checkbox"/> Other | | \$ | |

PAYMENT METHOD:

- Cash
 Credit
 Check
 Other

TOTAL RECEIVED \$ 50.00

SIGNATURE

x *Katherine Douglas*

AGENCY OF FILING PRINTED NAME AND TITLE

Katherine Douglas, Deputy Clerk



State of California - Department of Fish and Wildlife
2023 ENVIRONMENTAL DOCUMENT FILING FEE
CASH RECEIPT
 DFW 753.5a (REV. 01/01/23) Previously DFG 753.5a

NOTICE

Each project applicant shall remit to the county clerk the environmental filing fee before or at the time of filing a Notice of Determination (Pub. Resources Code, § 21152; Fish & G. Code, § 711.4, subdivision (d); Cal. Code Regs., tit. 14, § 753.5). Without the appropriate fee, statutory or categorical exemption, or a valid No Effect Determination issued by the California Department of Fish and Wildlife (CDFW), the Notice of Determination is not operative, vested, or final, and shall not be accepted by the county clerk.

COUNTY DOCUMENTARY HANDLING FEE

The county clerk may charge a documentary handling fee of fifty dollars (\$50) per filing in addition to the environmental filing fee (Fish & G. Code, § 711.4, subd. (e); Cal. Code Regs., tit. 14, § 753.5, subd. (g)(1)). A county board of supervisors shall have the authority to increase or decrease the fee or charge, that is otherwise authorized to be levied by another provision of law, in the amount reasonably necessary to recover the cost of providing any product or service or the cost of enforcing any regulation for which the fee or charge is levied (Gov. Code, § 54985, subd. (a)).

COLLECTION PROCEDURES FOR COUNTY GOVERNMENTS

Filing Notice of Determination (NOD):

- Collect environmental filing fee or copy of previously issued cash receipt. *(Do not collect fee if project applicant presents a No Effect Determination signed by CDFW. An additional fee is required for each separate environmental document. An addendum is not considered a separate environmental document. Checks should be made payable to the county.)*
- Issue cash receipt to project applicant.
- Attach copy of cash receipt and, if applicable, previously issued cash receipt, to NOD.
- Mail filing fees for CRP document to CDFW prior to filing the NOD or equivalent final approval (Cal. Code Regs. Tit. 14, § 753.5 (b)(5)). The CRP should request receipt from CDFW to show proof of payment for filing the NOD or equivalent approval. Please mail payment to address below made attention to the Cash Receipts Unit of the Accounting Services Branch.

If the project applicant presents a **No Effect Determination** signed by CDFW, also:

- Attach No Effect Determination to NOD *(no environmental filing fee is due)*.

Filing Notice of Exemption (NOE) *(Statutorily or categorically exempt project (Cal. Code Regs., tit. 14, §§ 15260-15285, 15300-15333))*

- Issue cash receipt to project applicant.
- Attach copy of cash receipt to NOE *(no environmental filing fee is due)*.

Within 30 days after the end of each month in which the environmental filing fees are collected, each county shall summarize and record the amount collected on the monthly State of California Form No. CA25 (TC31) and remit the amount collected to the State Treasurer. Identify the remittance on Form No. CA25 as "Environmental Document Filing Fees" per Fish and Game Code section 711.4.

The county clerk shall mail the following documents to CDFW on a monthly basis:

- ✓ A photocopy of the monthly State of California Form No. CA25 (TC31)
- ✓ CDFW/ASB copies of all cash receipts (including all voided receipts)
- ✓ A copy of all CDFW No Effect Determinations filed in lieu of fee payment
- ✓ A copy of all NODs filed with the county during the preceding month
- ✓ A list of the name, address and telephone number of all project applicants for which an NOD has been filed. If this information is contained on the cash receipt filed with CDFW under California Code of Regulations, title 14, section 753.5, subdivision (e)(6), no additional information is required.

DOCUMENT RETENTION

The county shall retain two copies of the cash receipt (for lead agency and county clerk) and a copy of all documents described above for at least 12 months.

RECEIPT NUMBER

- # The first two digits automatically populate by making the appropriate selection in the County/State Agency of Filing drop down menu.
- # The next eight digits automatically populate when a date is entered.
- # The last three digits correspond with the sequential order of issuance for each calendar year. For example, the first receipt number issued on January 1 should end in 001. If a county issued 252 receipts for the year ending on December 31, the last receipt number should end in 252. CDFW recommends that counties and state agencies 1) save a local copy of this form, and 2) track receipt numbers on a spreadsheet tabbed by month to ensure accuracy.

DO NOT COMBINE THE ENVIRONMENTAL FEES WITH THE STATE SHARE OF FISH AND WILDLIFE FEES.

Mail to:
 California Department of Fish and Wildlife
 Accounting Services Branch
 P.O. Box 944209
 Sacramento, California 94244-2090