

# NOTICE OF EXEMPTION

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

**FROM: Department of Public Works/Transportation Division**  
(Lead Department/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 (Pub. Res. Code Section 21000 et seq.), as defined in the State CEQA Guidelines and County Revised CEQA Guidelines.

APN(s) Varies      Project No. 900900

**LOCATION:** 105 E. Anapamu Street, Suite 407, Santa Barbara, CA

**PROJECT TITLE:** Montecito Trail Access Funding; First Supervisorial District

**PROJECT DESCRIPTION:** The proposed project is the funding of required studies and implementation of potential rights-of-way restoration to public use at trailhead access within the public road rights-of-way adjacent to the Hot Springs Trailhead along East Mountain Drive.

This funding would be utilized to provide studies and for the implementation of parking improvements near the area of the Hot Springs Trailhead. East Mountain Drive has public right of way that is currently unusable for parking due to encroachments such as walls, curbing, boulders, landscaping, mailboxes and other features. Studies are required in determining how to provide more parking in the right of way and confirm right of way limits. This would also document the obstacles to creating parking and provide examples to improve parking in the area. Studying the situation would allow the Department to provide solutions and options to work with the adjacent owners on a project that would create parking while minimizing the impacts to their rights-of-way encroachments long the property frontages. Depending on the scope and complexity of work required there may be additional funding needed for implementation of concepts consistent with the rural character of the Montecito area.

This exemption considers all future administrative activities for this project such as Award of Contract and Statement of Final Quantities.

Name of Public Agency Approving Project: County of Santa Barbara

Name of Person or Agency Carrying Out Project: Public Works Transportation 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 – consists of the operation, repair, maintenance, 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, including but 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 other alterations such as the addition of bicycle facilities, including but not limited to bicycle parking, bicycle-share facilities and bicycle lanes, transit improvements such as bus lanes, pedestrian crossings, street trees, and other similar alterations that do not create additional automobile lanes), except where the activity will involve removal of a scenic resource including a stand of trees, a rock outcropping, or a historic building.

**Reasons to support exemption findings:** Consistent with this exemption, the proposed project involves the studies of the existing roadway to maintain the safe traveling condition of the roadway right of way while allowing for safe public parking for pedestrians walking to adjacent public trails. Further, there are no unusual circumstances which would create a possibility that there would be a significant effect. Therefore, the 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 project involves studying and potential maintenance of rights-of-way to increase potential trail use parking in public roadways in Montecito. 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 where there is a reasonable possibility that the activity will have a significant effect on the environment due to unusual circumstances.**

The roadway areas to be studied and that may be repaired are in existing developed roadway rights-of-way. The roadway rights-of-way to be studied and locations where repairs or modification of the rights-of-way are proposed will have no impact on the environment. 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, removal of trees, rock outcropping or similar resource.

- (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.**

There are no hazardous wastes site locations on this public road. 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 East Mountain Drive area that is involved with public parking for the Hot Springs trail access is not identified as a historical resource. In addition, the restoration of the public road rights-of-way for public trail parking would not involve any structural modifications to existing public roadway facilities. Therefore, this exception does not apply.

Lead Agency Contact Person: Chris Sneddon, Deputy Director Public Works  
Transportation/Engineering Division, Phone: (805) 568-3064

Department/Division Representative: Morgan M. Jones, Engineering Environmental Project  
Team Leader

Acceptance Date: **September 14, 2021**

Distribution: Hearing Support Staff for posting

	<u>August 23, 2021</u>
<b>Morgan M. Jones</b>	Date
Department Representative	

**NOTE:** A copy of this document must be posted with the County’s Planning & 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: Date filed with Planning & Development \_\_\_\_\_.

Distribution: Date Filed by County Clerk: \_\_\_\_\_.