

**NOTICE OF EXEMPTION**

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

**FROM:** Michael D. Harris, Office of Emergency Management

The 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:** N/A

**Case No.:** N/A

**Location:** Tunnel Road, north of Montrose to the Tunnel Road terminus.

**Project Title:** Tunnel Road “No Parking – Tow Away” during Red Flag Warnings

**Project Description:** This action is the Board of Supervisors’ approval to designate both sides of Tunnel Road, north of Montrose Place, as “No Parking – Tow Away” during times in which the Mission Canyon area is under a Red Flag Warning as declared by the National Weather Service or the Fire Chiefs of the County of Santa Barbara. The project includes several new signs and operational procedures.

Name of Public Agency Approving Project: County of Santa Barbara  
Name of Person or Agency Carrying Out Project: County of Santa Barbara

**Exempt Status:** (Check one)

- Ministerial
- Statutory Exemption
- Categorical Exemption
- Emergency Project
- Declared Emergency

**Cite specific CEQA and/or CEQA Guideline Section:** 15301 and 15311(a)

**Reasons to support exemption findings:** CEQA Section 15301 exempts 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. 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). CEQA Section 15311(a) exempts construction, or placement of minor structures accessory to (appurtenant to) existing commercial, industrial, or institutional facilities, including (a) on-premise signs.

This project is a minor alteration to an existing public street with no expansion of use and therefore meets the definition of CEQA Section 15301. There is no substantial evidence that the designation of No Parking – Tow Away zones during Red Flag Warning events 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 proposed project is not located on a site where any environmental resource of hazardous concern has been designated, precisely mapped, or officially adopted pursuant to law by federal, state or local agencies. The project area is located near habitat mapped as an Environmentally Sensitive Habitat Overlay by the County in the Draft Mission Canyon Community Plan (not yet officially adopted or precisely mapped). Mission Creek is located between 150 to 450 feet from the project area. However, the area where the signs would be placed within the public road right-of-way is disturbed by existing parking and would have no impact on sensitive species. The proposed project would not have a significant impact on the creek given the distance between the project site and the creek. Furthermore, no development is proposed in the vicinity of mapped Floodway or Flood Hazard Overlay area. Therefore this finding can be made.

**(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 proposed project involves placement of No Parking – Tow Away signs within the public road right-of-way. The Board of Supervisors authorizes parking restrictions by resolution and signs giving notice of such regulation are posted in accordance with applicable County ordinance. Therefore, the placement of signs is limited and the cumulative impacts of successive projects in the same place, over time would not be significant. Therefore this finding can be made.

**(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 are no unusual circumstances that would cause the proposed project to have a significant effect on the environment. The project would occur within an existing public road right-of-way in a residential area. The road right-of-way is either paved or hard

packed soil that is disturbed by existing parking and various encroachments. No vegetation removal, erosion, sedimentation, or other potential environmental effects are anticipated from the project.

- (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 area is not visible from or located within a highway officially designated as a state scenic highway. Therefore, the proposed project would not result in damage to scenic resources within a highway officially designated as a state 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 area is not included on any list compiled pursuant to Section 65962.5 of the Government Code (hazardous and toxic waste sites). In addition, there is no evidence of historic or current use or disposal of hazardous or toxic materials in the area.

- (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 site is not a historical resource. The closest known historical resource is at the Santa Barbara Botanic Garden, an undeveloped portion of which lies adjacent to Tunnel Road. However, because the project is a minor alteration in the public right-of-way of an existing road, it would not cause a substantial adverse change in the significance of the adjacent historical resource.

Lead Agency Contact Person: Michael D. Harris

Phone #: 681-5526

Department/Division Representative: Dianne M. Black Date: 1/3/12

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

Distribution: Hearing Support Staff

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