

## Attachment 4

### ATTACHMENT 4

### Notice of Determination

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. Annapamu St.
Santa Barbara, CA 93101

From: Santa Barbara County Flood Control
Public Agency: Water Conservation District
Address: 130 E. Victoria St. Suite 200
Santa Barbara, CA 93101
Contact: Maureen Spencer
Phone: 805-568-3437

Lead Agency (if different from above):
City of Santa Barbara
Address: 630 Garden St.
Santa Barbara, CA 93101
Contact:
Phone: 805-564-5570

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 and County of Santa Barbara

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

Project Description:

Please see attached Project Description

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

described project on 8/17/18 (date) and has made the following determinations regarding the above described project.

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

Date: July 2, 2018 Date Received for filing at OPR:

**Notice of Determination Project Description  
Lower Mission Creek Project, Reach 2B-Phase II and Reach 3  
July 17, 2018**

Approve, adopt and authorize a Resolution of Necessity for the acquisition of the fee interest in the real property for Reach 2B-Phase II and Reach 3 – the Lower Mission Creek Project.

The Lower Mission Creek Flood Control 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. After environmental review was completed in the EIS/EIR, staff considered acquiring only permanent and temporary easements from the Property; however upon a review of the entire Mission Creek Project, it has become apparent that the Property (a vacant parcel) provides a strategic location that is beneficial for the current and future construction, access, staging and operation and maintenance of the overall Mission Creek Project. Further, the Property has been identified as a planned habitat expansion zone in the EIR/EIS upon the remediation of any soil contamination.

No substantial changes are proposed in the project because the Santa Barbara County Flood Control District proposes to undertake the same activities on the parcel as those analyzed in the EIS/EIR. In addition, no substantial change has, or is anticipated to occur, with respect to the circumstances under which the project is being undertaken. There have been no substantial changes to site conditions since the site was analyzed under the EIR/EIR. Finally, no new information of importance, which was not known and could not have been known at the time the previous EIS/EIR was certified, has become available.

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.

FOR EXHIBIT