

Attachment E

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Notice of Determination

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To:

Office of Planning and Research
U.S. Mail: _____ Street Address: _____
P.O. Box 3044 1400 Tenth St., Rm 113
Sacramento, CA 95812-3044 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: 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: 805-564-5578

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 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 District has approved the above
(Lead Agency or Responsible Agency)

described project on 11-5-19 and has made the following determinations regarding the above
(date)
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.
 A Negative Declaration 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:

Santa Barbara County Flood Control District 130 E. Victoria St, Suite 200 Santa Barbara CA 93101

Signature (Public Agency) Maureen Spencer Title: Environmental Manager

Date: 10-24-19 Date Received for filing at OPR: _____

Approve, adopt and authorize a Resolution of Necessity for the acquisition of real property interest for:

1. Permanent and temporary easements across Assessor Parcel Number 037-245-004, (325 Chapala Street Santa Barbara), owned by N. Scott Vincent, Trustee of the 2018 N. Scott Vincent Irrevocable Trust, N. Scott Vincent, Trustee of the 2018 James B. Vincent Irrevocable Trust and N. Scott Vincent, Trustee of the 2018 John J. Vincent Irrevocable Trust (collectively "N. Scott Vincent Irrevocable Trust"); and
2. Partial fee acquisition, permanent and temporary easements in Assessor Parcel Number 037-245-017, (315 Chapala Street Santa Barbara), owned by Reginald E. Drew, Jr.,

for the Lower Mission Creek Project (the Project).

The Lower Mission Creek Flood Control Project is a federal U.S. Army Corps of Engineers (ACOE) project that has been under study and development since the 1960s. The ACOE 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 is responsible for the right-of-way acquisition associated with the Project.

On March 2, 2010, in Open Session, the Board of Directors of the Santa Barbara County Flood Control and Water Conservation District (the District) approved, as project funding became available, commencement of real property acquisition interests associated with the development of the Project. The District now needs to acquire the real property interests in the rear portions of the real properties located at 325 Chapala Street, (APN 037-245-004) owned by N. Scott Vincent Irrevocable Trust and 315 Chapala Street, (APN 037-245-017) owned by Reginald E. Drew, Jr., (collectively "Owners"). In order to complete the Project and subsequently operate and maintain the facilities associated with the newly constructed improvements, the District must acquire certain permanent and temporary easements at the properties identified above and a fee interest portion of APN 037-245-017. These easements and fee interest will be of strategic and beneficial use for the current and future operation and maintenance of the overall Mission Creek Project upstream and downstream of the two parcels.

No substantial changes are proposed in the project because the District proposed to undertake the same activities on the parcels as those analyzed in the EIR/EIS. In addition, no substantial changes 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/EIS. Finally, no new information of importance, which was not known and could not have been known at the time the previous EIR/EIS 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.