

## NOTICE OF EXEMPTION

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

**FROM:** Santa Barbara County Flood Control and Water Conservation District

The project or 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:** NA

**Case No.:** NA

**Location:** Montecito Creek, Santa Barbara County

**Project Title:** Montecito Creek Study

**Project Description:** Montecito Creek, within the limits of the study area (from the Montecito Debris Basin upstream to Hot Springs Rd, is a concrete channel that was mostly constructed well before the Flood Control District was formed. Due to its age, the constructed channel has been subject to damages during certain storm events and the useful life of the improvements will someday be exceeded. It is anticipated that the channel will require significant repairs or possibly reconstruction in the future which will be subject to many constraints, including permitting, easement acquisition, and financial considerations. Project alternatives will need to be designed taking those constraints into account while maintaining the current conveyance and sediment transport capacities. This study will provide a valuable planning tool to identify project options.

**Name of Public Agency Approving Project:** Santa Barbara County Flood Control and Water Conservation District

**Name of Person or Agency Carrying Out Project:** Santa Barbara County Flood Control and Water Conservation District

**Exempt Status:** (Check one)

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

**Cite specific CEQA and/or CEQA Guideline Section:** CEQA Article 18, Statutory Exemptions Section 15262 Feasibility and Planning Studies and CEQA Article 19, Categorical Exemption, Section 15306 (Class 6) Basic data collection, research, experimental management, and resource evaluation activities.

**Reasons to support exemption findings:** The proposed Montecito Creek Study is data and information gathering to identify possible future alternatives for channel repair or reconstruction once the useful life of the channel has been exceeded. The Board has not approved, funded or adopted any future actions as this study is for planning and feasibility purposes only. The study does not result in a disturbance to any environmental resource. Therefore, the above listed exemptions apply to this action.

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.**

The Montecito Creek Study is a data and information gathering exercise and will not result in any physical disturbance to the environment. Therefore, the study is categorically exempt from CEQA requirements as defined by Title 14, Chapter 3, Article 19, Section 15306 which addresses basic data collection, research, experimental management, and resource evaluation activities which do not result in serious or major disturbance to an environmental resource.

- (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.**

There are no significant incremental or measurable cumulative impacts for the proposed study. Therefore, this exception to the Categorical Exemption is not applicable to the proposed project.

- (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 Montecito Creek Study is for informational purposes only and will have no significant effect on the environment. Therefore, there is no reasonable possibility that the study will have a significant effect on the environment due to unusual circumstances.



- (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 Montecito Creek Study does not result in the installation of any facilities. Therefore, this exception to the Categorical Exemption is not applicable.

- (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 Montecito Creek Study does not include any aspects of any hazardous waste site. Therefore, this exception to the Categorical Exemption is not applicable to the proposed project.

- (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 Montecito Creek Study will not directly result in any structural or physical changes that would impact any historical resources. Therefore, this exception to the exemption does not apply.

Lead Agency Contact Person: Jon Frye Phone #: 805 568-3440

Department/Division Representative: Maureen Spencer Date: April 18, 2017

**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: April 18, 2017

Date Filed with Clerk of the Board: \_\_\_\_\_

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