

# 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) Right of Way. Project No. 820667 (South County)**

**LOCATION:** In the First, Second, and Third Supervisorial Districts

**PROJECT TITLE:** Construction of 2015/16 South County HMA Overlay

**PROJECT DESCRIPTION:** This proposed project includes all of the following items:

1. Approve plans and specifications for the Construction of 2015/16 South County Hot Mix Asphalt Overlay; County Project No. S 820667; In the First, Second, and Third Supervisorial Districts, on file in the Public Works Department office.
2. Approve and authorize the Chair to execute the attached construction contract, which has been reviewed and approved by County Counsel, Auditor-Controller and Risk Manager, or their authorized representatives.
3. Authorize the Public Works Director or designee to approve change orders for a contingency amount up to \$58,290.70, plus an additional amount of \$46,100.00 for supplemental work items for the Construction of 2015/16 South County Hot Mix Asphalt Overlay; County Project No. S 820667; In the First, Second, and Third Supervisorial Districts, for a total project authorization of \$1,020,204.70.

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 – Class 1 consists of 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. The types of “existing facilities“, itemized below are not intended to be all inclusive of the types of projects which might fall within Class 1. The key consideration is whether the project involves negligible or no expansion of an existing use. 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).

**Reasons to support exemption findings:** Consistent with this exemption, this proposed project involves an activity directly related to the repair and maintenance activities within an existing road facility. The project allows for a public safety activities designed to maintain highway safety. The project also aims to maintain roadway facilities. Further, there are no unusual circumstances which would create a possibility that there would be a significant effect. Therefore, this 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 the repair and maintenance of existing roadways to improve public safety. 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 project involves routine repair to maintain a safe roadways for the traveling public. The project will occur where no sensitive resources are located. 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. Therefore, this exception does not apply.

- (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 in the residential roadway right of way. 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 roadways involved are not identified as a historical resource. Therefore, this exception does not apply.

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

Department/Division Representative: Morgan M. Jones, Senior Engineering Environmental Planner,

Acceptance Date: **November 10, 2015**

Distribution: Hearing Support Staff for posting



Morgan M. Jones

Department Representative

October 22, 2015

Date

**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: \_\_\_\_\_.