

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): 128-100-030, 128-101-010 & -012

Case No.: Real Property File No. R-401

LOCATION: Portions of Foxen Canyon and Dominion Roads near Santa Maria abutting the above referenced parcels.

PROJECT TITLE: Foxen Canyon Road Vacation, Santa Maria

PROJECT DESCRIPTION: County vacation and sale of a fee interest in portions of Foxen Canyon and Dominion Roads (the "Portion") abutting APNs 128-100-030, 128-101-010 & -012 (collectively the "Property") as shown on the attached exhibits. The purpose of vacating the Portion is to allow it to be merged with the Property.

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
- Categorical Exemption [Sec. 15312(a)]
- Emergency Project
- No Possibility of Significant Effect [Sec. 15061(b,3)]

Cite specific CEQA Guideline Section: 15312- Surplus government property sales – “consists of sales of surplus government property except for parcels of land located in an area of statewide, regional, or area wide concern identified in the State CEQA Guidelines Section 15206(b)(4). The proposed vacation, quitclaim and sale is exempt per 15312(a) as the area being considered for transfer “does not have significant values for wildlife habitat or other environmental purposes, and (1) the property is of such size, shape, or inaccessibility that it is incapable of independent development or use.”

Reasons to support exemption findings: The areas being vacated and quitclaimed are small irregular shaped portions of excess ROW located outside of the traveled roadway which are used exclusively by the vacation applicant. Since the areas of proposed right-of-way vacation are

small irregular shaped parcels, the project can be found categorically exempt from CEQA under Section 15312.

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 in 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 15312 is a Class 12 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.**

There are no other identified projects in the immediate area which would contribute to cumulative impacts of successive projects of this type at this location. 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 vacation and quitclaim of this untraveled ROW would not create a reasonable possibility of a significant effect associated with this project. 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 execution of the Order to Vacate and the Quitclaim would not impact any scenic, historic or similar resources. There are no scenic resources such as a state scenic highway, historic buildings, rock outcroppings or similar resource at the location which may be damaged by the project. 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.

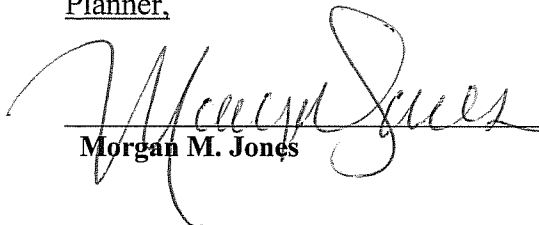
There are no hazardous waste site locations on public roads. Therefore, this exception does not apply.

- (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 Portion has no identified historical resources. Execution of the Order to Vacate and the Quitclaim does not involve modification or substantial change to any historic or cultural resource. Therefore, this exception does not apply.

Lead Agency Contact Person: Jeff Havlik, Real Property Agent, Public Works, 805 568-3073

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

 4/14/14
Morgan M. Jones Date

Acceptance Date: _____
(Distribution) Hearing Support Staff for posting

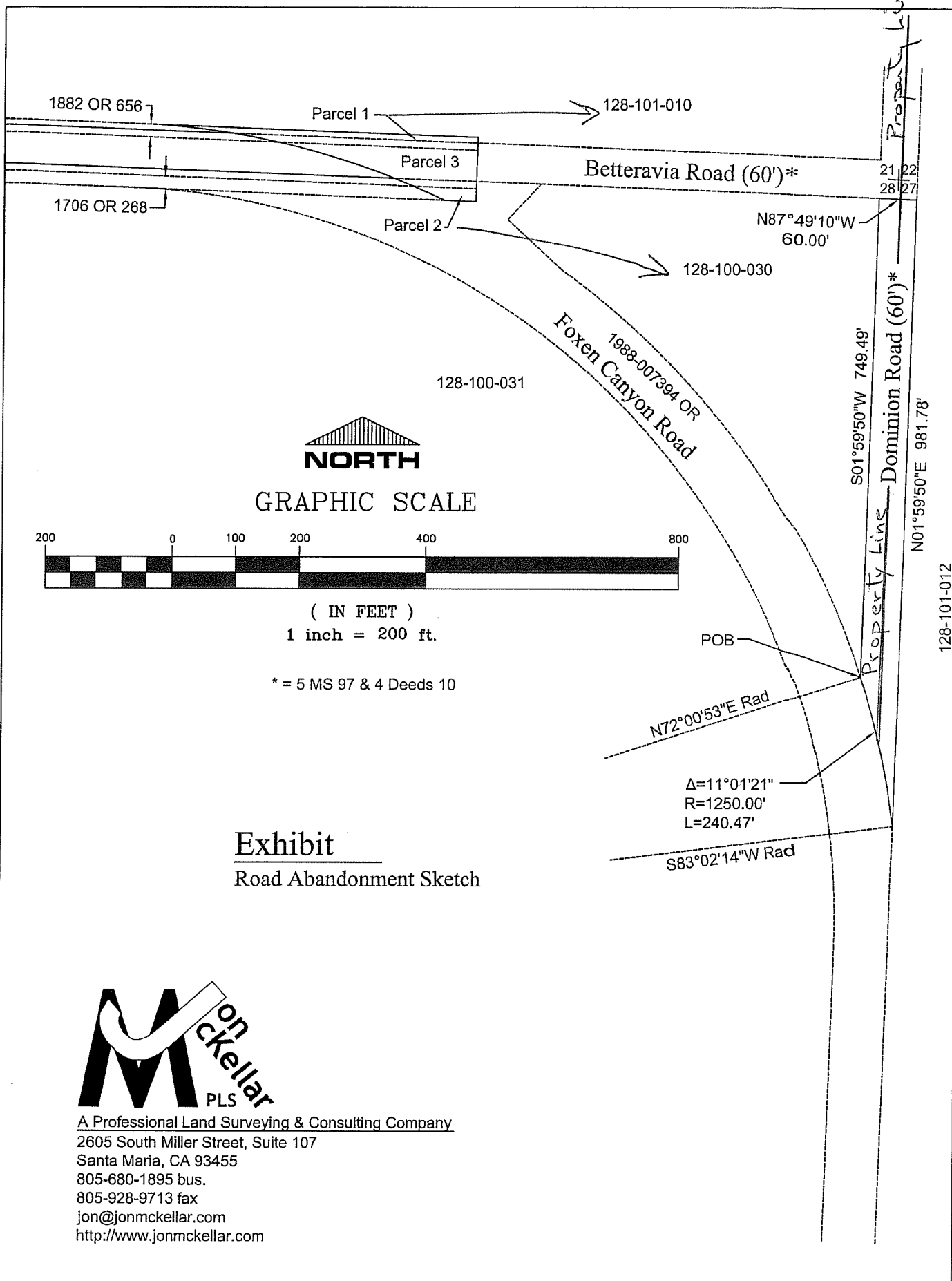
NOTE: A copy of this document must be posted with the County’s Planning & Development Department at least 6 days prior to consideration of the activity by the decision-makers to comply with County CEQA guidelines and a copy must be filed with the County Clerk of the Board after project approval to begin a 35 day statute of limitations on legal challenges.

Distribution:

RECEIVED
APR 07 2014
S.B. COUNTY
PLANNING & DEVELOPMENT

Date filed with Planning & Development

Date filed with Clerk of Board



GRAPHIC SCALE



(IN FEET)
1 inch = 200 ft.

* = 5 MS 97 & 4 Deeds 10

Exhibit
Road Abandonment Sketch



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