

Attachment 3

CEQA Notice of Exemption

NOTICE OF EXEMPTION

TO: Santa Barbara County Clerk of the Board of Supervisors

FROM: General Services Department/Real Property 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, as defined in the State and County Guidelines for the implementation of CEQA.

APN(s)	<u>081-230-021</u>	<u>079-150-053</u>	<u>079-150-054</u>	<u>079-150-057</u>	<u>081-250-016</u>
<u>079-210-042</u>	<u>079-210-059</u>	<u>079-080-001</u>	<u>079-080-002</u>	<u>079-080-012</u>	<u>079-080-021</u>
<u>079-090-033</u>	<u>079-090-037</u>	<u>079-140-012</u>	<u>079-140-018</u>	<u>079-140-042</u>	<u>079-140-043</u>
<u>079-140-050</u>	<u>079-140-051</u>	<u>079-140-052</u>	<u>079-140-056</u>	<u>079-140-058</u>	<u>079-140-065</u>
<u>079-150-020</u>	<u>079-150-021</u>	<u>079-150-029</u>	<u>079-150-047</u>	<u>079-150-048</u>	<u>079-150-049</u>
<u>079-150-051</u>	<u>079-150-052</u>				

Case Nos. Real Property File No. 003529

LOCATIONS: City of Goleta (APN 079-210-042) and Gaviota in the Unincorporated Area of Santa Barbara County (APN 081-230-021)

PROJECT TITLE: Line 96 Abandonment (003529)

PROJECT DESCRIPTION: The proposed action is for the formal abandonment of Line 96 beginning at the Ellwood Onshore Facility (EOF) identified as Assessor Parcel Number 079-210-042 located in the City of Goleta and ending at Assessor Parcel Number 081-230-021 adjacent to Las Flores Canyon in the unincorporated area of Santa Barbara County. The County intends to award a contract to abandon Line 96, which work will include purging the line and filling it with inert gas, and then isolating and blinding the pipe at each end of the line. These actions will be taken in accordance with the Office of the State Fire Marshall (OSFM), which has regulatory responsibilities and in accordance with grant funds accepted from the California Department of Toxic Substances Control.

EXEMPT STATUS: (Check One)

- Ministerial
- Statutory
- X Categorical Exemption [Sections 15301, 15307 and 15308]
- Emergency Project
- No Possibility of Significant Effect

Cite specific CEQA Guideline Section:

15301 [Class 1- Existing Facilities]:

Reasons to support exemption findings: The proposed actions are categorically exempt from environmental review pursuant to Section 15301 [*Existing Facilities*] of the Guidelines for Implementation of the California Environmental Quality Act (CEQA). The CEQA Existing Facilities exemption at Section 15301 allows for 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. Consistent with this exemption, the proposed project involves the abandonment of a decommissioned pipeline, which will involve

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negligible or no expansion of use beyond that existing at the time this Board approved the Final EIR (09EIR-00000-00005) on January 17, 2012, for the Line 96 Modification Project.

With regard to the proposed project, the exceptions to the Existing Facilities categorical exemption that must be considered 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 resources of hazardous or critical concern where designated, precisely mapped, and official adopted pursuant to law by federal, state, or local agencies.***

The Section 15301 is a Class 1 Categorical Exemption, therefore this exception is not applicable.

- (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 successive projects of the same type in the same place anticipated for this location. There is no cumulative impact and, 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.***

Line 96 is an existing facility that has been decommissioned. The proposed abandonment of this pipeline will not result in any additional impacts to the environment.

- (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.***

Line 96 is an underground pipeline in the vicinity of Highway 101; however, any visual impacts from abandonment activity will be temporary and limited in nature and will not damage scenic resources. 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.***

This proposed project is not located on a site which is included on any list compiled pursuant to Section 65962.5 of the Government Code. Therefore, it is not located on a hazardous waste site and this exception does not apply.

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(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.

This proposed project does not involve any historical resources. This exception does not apply.

15307 [Class 7 - Actions by Regulatory Agencies for Protection of Natural Resources]:

Reasons to support exemption findings: The OSFM, which has regulatory responsibilities over pipelines located in Santa Barbara County, has directed the County to formally abandon Line 96 in accordance with its standards and procedures as well as state and federal laws. Therefore, the proposed action is categorically exempt from environmental review under the “Class 7” (14 CCR §15307) exemption of the California Environmental Quality Act (CEQA) Guidelines because it is an action taken by a regulatory agency as authorized by state law or local ordinance to assure the maintenance, restoration, or enhancement of a natural resource where the regulatory process involves procedures for protection of the environment. The analysis above for the exceptions to the categorical exemption in Section 15300.2 of the State CEQA Guidelines apply here.


15308 [Class 8 - Actions by Regulatory Agencies for Protection of the Environment]:

Reasons to support exemption findings: The OSFM, which has regulatory responsibilities over pipelines located in Santa Barbara County, has directed the County to formally abandon Line 96 in accordance with its standards and procedures as well as state and federal laws. Therefore, the proposed action is categorically exempt from environmental review under the “Class 8” (14 CCR §15308) exemption per the CEQA Guidelines because it is an action taken by a regulatory agency, as authorized by state or local ordinance, to assure the maintenance, restoration, enhancement, or protection of the environment where the regulatory process involves procedures for protection of the environment. The analysis above for the exceptions to the categorical exemption in Section 15300.2 of the State CEQA Guidelines apply here.

Lead Agency Contact and Dept./Division Representative: Susan Freebourn (805) 266-4176

Distribution: Board of Supervisors

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Department /Division Representative Date