

NOTICE OF EXEMPTION

TO: Santa Barbara County Clerk of the Board of Supervisors

FROM: Santa Barbara County Public Works Department, Water Resources Division

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: 151-020-036

Case No. N/A

Location: 1070 Toro Canyon Road, Santa Barbara, CA

Project Title: Toro Canyon Construction & Creek Cleanup

Project Description: The Project is construction and oil cleanup within a tributary of Toro Creek. Construction is for replacing a fire-damaged pipeline, remediation of oily soil, creek protection measures, and cleanup in the creek.

Name of Public Agency Approving Project: County of Santa Barbara

Name of Person or Agency Carrying Out Project: Santa Barbara County Public Works Department, Water Resources Division

Exempt Status: (Check one)

Ministerial

Statutory Exemption

Categorical Exemption

Emergency Project

Declared Emergency

Cite specific CEQA and/or CEQA Guideline Section:

15269(a) Emergency Projects: Projects to maintain, repair, restore, demolish or replace property or facilities damaged or destroyed as a result of a disaster in a disaster stricken area in which a state of emergency has been proclaimed by the Governor,

15304(f) (Class 4) Minor Alteration to land with minor trenching and backfilling where the surface is restored, and

15308 Actions by Regulatory Agencies for Protection of the Environment.

Reasons to support exemption findings: Consistent with these exemptions, the proposed Project involves repair of a small pipeline damaged by the 2017 Thomas Fire, excavation and removal of oiled soil, replacement with clean soil, and remediation of

approximately 300 yards of oiled creek. The work was completed through a coordinated effort with the California Department of Fish and Wildlife Oil Spill Prevention and Recovery Division. The Project's implementation did not have a significant effect and eliminated the likelihood of further impacts to the environment. 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.**

The Project restored the site, eliminated the impacts from the oil, and protected the area from further impacts in the sensitive creek environment. 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 eliminated further impacts and the possibility of 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 restored the site and eliminated further impacts from the oil leak, 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 is not located along a scenic highway and will not result in damage to any 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.

The parcel covered by the Project is not listed as a hazardous waste site; 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 parcel covered by the Project is not identified as a historic resource; therefore, this exception does not apply.

Lead Agency Contact Person: Cathleen Garnand Phone #: (805) 568-3561

Signature:  Date: 9-23-2021

Acceptance Date: _____

DATE FILED WITH CLERK OF THE BOARD