

**ATTACHMENT C
NOTICE OF EXEMPTION**

TO: Santa Barbara County Clerk of the Board of Supervisors

FROM: Veronica King, Planning and Development

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: 135-020-049 **Case No.** 24CUP-00014

Location: 3015 Foxen Canyon Road

Project Title: AT&T @ Foxen Canyon

Project Applicant: AT&T

Project Description:

The project is a request for a Minor Conditional Use Permit to allow the construction and operation of an unmanned wireless telecommunications facility within three new lease areas for AT&T, which together total 788 SF. The equipment proposed with the application includes the following:

- Six new 15' tall posts
- Six panel antennas
- Nine remote radio units (RRU)
- 20kW back-up power generator with 125-gallon diesel tank on a concrete pad
- 8' tall wooden wall enclosure

No grading is proposed. One deceased oak tree is proposed for removal. Electrical service (and fiber) for the facility will be provided by the Pacific Gas and Electric Company (PG&E). The parcel will continue to be served by the Santa Barbara County Fire Department. Access to the site will be provided via an existing access easement from Foxen Canyon Road. The property is a 31.76-acre parcel zoned AG-I-10 and shown as Assessor's Parcel Number 135-020-049, located at 3015 Foxen Canyon Road in the Sana Ynez Valley Plan area, 3rd Supervisorial District.

Name of Public Agency Approving Project: Santa Barbara County

Name of Person or Entity Carrying Out Project: Jerry Ambrose, Eukon Group

Exempt Status:

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

Cite specific CEQA and/or CEQA Guidelines Section: State CEQA Guidelines Section 15303 [New Construction or Conversion of Small Structures]

Reasons to support exemption findings:

The proposed project is categorically exempt from environmental review pursuant to the State CEQA Guidelines Section 15303 [New Construction or Conversion of Small Structures]. Section 15303 exempts the construction and location of limited numbers of new, small facilities or structures. This exemption applies to the project because the proposal involves the installation of various telecommunications equipment within three separate lease areas totaling 788 square feet, including six new 15-foot-tall posts, six panel antennas, nine RRUs, and a backup generator. All ground equipment will be enclosed in an eight-foot-tall wooden wall enclosure for screening and security purposes. The project does not include the removal of any established vegetation, is located outside of any designated Environmentally Sensitive Habitat (ESH) areas, and is designed to blend into the natural landscape as viewed from public viewing areas, such as Highway 154.

The proposed project does not involve 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.**

This exception to the categorical exemption does not apply because there are no environmental resources of hazardous or critical concern that exist in or around the lease areas or proposed development.

(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.

This exception to the categorical exemption does not apply because the proposed project is for a new AT&T telecommunications facility designed to address a significant gap in coverage within an area generally centering around the intersection of Highway 154 and Foxen Canyon Road. As illustrated in the RF propagation map labeled “LTE Coverage After Site CSL04547,” the project will close the gap in coverage, meaning additional projects of this type in this location will be unnecessary. Furthermore, a radiofrequency emissions report prepared by the applicant concluded that the proposed project will operate within the limits set forth by the Federal Communication Commission (FCC). Any future telecommunications facility on this site will be analyzed for potential impacts and will be required to meet the FCC emission limits. Similar development in the same place over time, developed in conformance with the applicable ordinance, policy, and FCC regulations will not result in a cumulatively significant impact.

(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.

This exception to the categorical exemption does not apply because the proposed project is for a telecommunications facility located on an agriculturally-zoned parcel developed with existing wireless carrier facilities and cattle ranching. There are no unusual circumstances that would cause the project to have a significant effect on the environment. In addition, as stated above, the radiofrequency emissions generated by the project are within the FCC emission limits.

(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.

This exception to the categorical exemption does not apply because the project is designed to blend with the natural landscape as viewed from the nearest state scenic highway, Highway 154. The proposed antenna locations were selected in such a way to minimize direct visibility from Highway 154 by placing them directly behind or in front of existing trees. Furthermore, the 15-foot-tall posts will be painted a dark green/brown color to blend into the natural earth tones that characterize the site, ensuring the facility is not substantially visible from public viewing areas along Highway 154.

(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 exception to the categorical exemption does not apply because the project is not located on a site included on any list compiled pursuant to Section 65962.5 of the Government Code. The project is located within an AG-I agricultural parcel. There is no evidence of historic or current use or disposal of hazardous or toxic materials at the project site.

(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 exception to the categorical exemption does not apply because the project will not impact a historical resource. The proposed facility will be located on an AG-I parcel adjacent to other agricultural parcels. No existing structures will be impacted by the proposed project. No historical resources are known to be present in the vicinity of the proposed project.

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Department/Division Representative: _____

Date: _____

Acceptance Date: _____

Distribution: Hearing Support Staff

Date Filed by County Clerk: _____