

# **Attachment 2**

## **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):** 025-181-018

**LOCATION:** 2220 Bath Street, Santa Barbara

**PROJECT TITLE:** Alternate Care Site Agreement with the Best Western Encina Inn and Suites at 2220 Bath Street, Santa Barbara

**PROJECT DESCRIPTION:** The proposed action is seeking Board authorization to approve the Alternate Care Site (ACS) Agreement with Best Western Plus Encina Inn and Suites to provide a site for expanded medical facilities for non-congregate, non-acute care for COVID-19 patients, in the event of a major surge in hospital patient volume; and to authorize Director of Emergency Services, or designee, after consultation with the County Public Health Department, to activate use of the hotel as an alternate care site.

**EXEMPT STATUS: (Check One)**

Ministerial

Statutory

Categorical Exemption

Emergency Project [Section 15269(c)]

No Possibility of Significant Effect

Not a Project [Sec. 15378(b)(4)]

**Cite specific CEQA Guideline Section:**

Section 15378 project means the whole of an action, which has the potential for resulting in either a direct physical change in the environment, or a reasonably foreseeable indirect change, and that is any of the following: (b), Project does not include (4) The creation of government funding mechanisms or other government fiscal activities which do not involve any commitment to any specific project which may result in a potentially significant physical impact on the environment.

Section 15269(c) [*Emergency Projects*] CEQA Guidelines Section 15269 exempts several types of emergency projects from CEQA: (a) 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; (b) Emergency repairs to publicly or privately owned service facilities necessary to maintain service essential to the public health, safety or welfare; and (c) Specific actions necessary to prevent or mitigate an emergency.

**Reasons to support exemption findings (attach additional material, if necessary):**

The proposed action is categorically exempt from environmental review pursuant to Section 15269(c) [*Emergency Projects*] of the Guidelines for Implementation of the California Environmental Quality Act (CEQA). The CEQA Emergency Projects exemption at Section

15269(c) allows for specific actions necessary to prevent or mitigate an emergency. The proposed action of ratifying the ACS agreement and authorizing the Director of Emergency Services, or designee, after consultation with the County Public Health Department, to activate use of the hotel as an alternate care site would enable the County to provide expanded medical facilities for non-congregate, non-acute care for COVID-19 patients, in the event of a major surge in hospital patient volume.

With regard to the proposed project, the exceptions to the Emergency Projects categorical exemption that must be considered pursuant to Section 15269(c) of the State CEQA Guidelines are:

***(a) Long-term projects undertaken for the purpose of preventing or mitigating a situation that has a low probability of occurrence in the short-term***

This agreement would only be activated in response to an emergency surge in hospital patient volume; therefore this exception is not applicable.

***(b) The anticipated period of time to conduct an environmental review of such a long-term project would create a risk to public health, safety or welfare***

This is not a long-term project requiring an environmental review and, therefore this exception does not apply.

***(c) If activities (such as fire or catastrophic risk mitigation or modifications to improve facility integrity) are proposed for existing facilities in response to an emergency at a similar existing facility.***

The County's proposed Alternate Care Site agreement will not result in any physical changes or impacts to the environment and therefore will not result in a significant effect on the environment. There are no additional proposed activities at this facility or similar facilities to respond to an emergency; therefore, this exception is not applicable.

As described above, none of the exceptions to the categorical exemptions contained within Section 15269(c) of the State CEQA Guidelines apply to this project.

Lead Agency Contact Person: Janette D. Pell

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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: Board of Supervisors

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Date filed with Clerk of Board

**Skip Grey**

Digitally signed by Skip Grey  
Date: 2020.11.05 11:01:42 -08'00'

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Department/Division Representative

Date