

Attachment 4

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**CEQA
Notice of Exemption**



CEQA Transmittal Memorandum

County of Santa Barbara - Clerk of the Board of Supervisors

105 E. Anapamu St. Room 407 • Santa Barbara • CA • 93101

Complete this form when filing a Negative Declaration, Mitigated Negative Declaration, Environmental Impact Report or Notice of Exemption.

You will need to submit one original for posting plus one copy for the Department of Fish & Wildlife. A scanned copy including the date/time of posting will be emailed to the Lead Agency and Project Applicant. If you would like a return copy, please submit an extra copy along with a pre-addressed, stamped envelope.

Contact Person		Phone	
Lead Agency		Lead Agency Email	
Project Title			
Project Applicant	Email	Phone	
Project Applicant Address	City	State	Zip

DOCUMENT BEING FILED:

- Environmental Impact Report (EIR)
- 2018 Filing Fee\$3,168.00
- Previously Paid (**must attach receipt**) \$0.00
- No Effect Determination (**must be attached**)..... \$0.00

- Negative Declaration or Mitigated Negative Declaration
- 2018 Filing Fee\$2,280.75
- Previously Paid (**must attach receipt**) \$0.00
- No Effect Determination (**must be attached**)..... \$0.00

- Notice of Exemption \$0.00

- County Administrative Handling Fee (**required for all filings**)..... \$50.00

TOTAL: _____

PAYMENT METHOD: ALL APPLICABLE FEES MUST BE PAID AT THE TIME OF FILING

- Cash Check # _____ Journal Entry # _____

NOTICE OF CEQA EXEMPTION

TO: Santa Barbara County Clerk of the Board of Supervisors

FROM: General Services Department/Real Estate Services 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) 101-020-076

Case No. Real Property File No. 003956

LOCATION: Within Orcutt, an unincorporated town located in the Santa Maria Valley in the County of Santa Barbara, State of California

PROJECT TITLE: Acquisition of 96-acre parcel in Orcutt, Assessor Parcel Number 101-020-076 (003956); Third District

PROJECT DESCRIPTION: This acquisition involves the proposed purchase of real property consisting of approximately 96 acres within Orcutt, an unincorporated town located in the Santa Maria Valley in the County of Santa Barbara, State of California, identified as Assessor Parcel Number 101-020-076. The recommendations to the Board of Supervisors include authority to execute the Real Property Purchase Agreement and Escrow Instructions, pursuant to which the County of Santa Barbara would pay the purchase price of \$909,000.00 and escrow costs. The Property is to be used for public open space and recreational purposes, including hiking trails, within the County of Santa Barbara.

EXEMPT STATUS:

- Ministerial
- Statutory
- Exemption [Sections 15316; 15325 and 15061(b)(3)]
- Emergency Project
- No Possibility of Significant Effect

Cite specific CEQA Guideline Sections: 15316 [*Transfer of ownership of land in order to create parks*]; 15325 [*Transfers of ownership of interest in land to preserve existing natural conditions*]; 15061(b)(3) [*General Rule "Common Sense" Exemption*]

Reasons to support exemption findings:

- I. The proposed action is exempt from environmental review pursuant to Section 15316 [*Transfer of Ownership in Land in Order to Create Parks*] of the Guidelines for Implementation of the California Environmental Quality Act (CEQA). Class 16 consists of the acquisition, sale, or other transfer of land in order to establish a park where the land is in a natural condition or contains historical or archaeological resources and either:
 - (a) The management plan for the park has not been prepared, or
 - (b) The management plan proposes to keep the area in a natural condition or preserve the historic or archaeological resources. CEQA will apply when a management plan is proposed that will change the area from its natural condition or cause substantial adverse change in the significance of the historic or archaeological resource.

Here, the property is proposed for acquisition in order to establish a park where the land is in a natural condition; a management plan for the park has not been prepared.

- II. The proposed action is exempt from environmental review pursuant to Section 15325 [*Transfers of ownership of interest in land to preserve existing natural conditions*] of the Guidelines for Implementation of the California Environmental Quality Act (CEQA). Class 25 consists of the transfers of ownership of interests in land in order to preserve open space, habitat, or historical resources. Here, the property is proposed for acquisition in order to preserve open space.
- III. The proposed action is exempt from environmental review pursuant to Section 15061(b)(3) [*General Rule "Common Sense" Exemption*] of the Guidelines for Implementation of the California Environmental Quality Act (CEQA). This activity is covered by the "Common Sense" Exemption that CEQA applies only to projects which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA. Here, the proposed actions consist of a transfer of fee title. It can be seen with certainty that there is no possibility that this transfer of title will have a significant effect on the environment.

As described above, none of the exceptions to the categorical exemptions contained within Sections 15316; 15325, and 15061(b)(3) of the State CEQA Guidelines apply to this project.

With regard to the proposed project, the exceptions to the categorical exemptions (CEQA Guidelines Sections 15316 and 15325) 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 environmental resources of hazardous or critical concern where designated, precisely mapped, and official adopted pursuant to law by federal, state, or local agencies.*

Sections 15316 and 15325 are Class 16 and Class 25 Exemptions, respective, 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.*

The proposed acquisition of this property will not result in any physical changes or impacts to the environment and therefore will not result in a significant effect on 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.*

This proposed acquisition consists of property that serves as open space with no future plan of physical development. There are no state scenic highways in the project area. 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 acquisition 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.

- (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 acquisition does not involve any historical resources. This exception does not apply.

Lead Agency Contact Person: Janette D. Pell

Phone: (805) 560-1011

Department/Division Representative: Janette D. Pell

NOTE: A copy of this document must be posted with the County's Planning and 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

DATE FILED WITH CLERK OF THE BOARD

Carlo Achdjian

Department / Division Representative

8/20/2020 | 2:14 PM PDT

Date
