

# **ATTACHMENT 4**

## **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 # \_\_\_\_\_

# Journal Entry

Document Number: JE - 0214313  
 Document Description: CEQA FILING FEE 003953 North Preisker Lane Transfer Flood Parcel to City of SM  
 Post On:

Batch ID: 2514535  
 Processed On:  
 Processed By:  
 Created On: 2/17/2021 2:33:46 PM  
 Created By: Lucero Garcia

## References

Audit Trail: Cash Type:

## Accounting

Fund	Dept	GL Acct	LI Acct	Debit Amount	Credit Amount	Prog	OUnit	Proj	Act	Area	Equip	Depositor	Description
0001	063	2810	7508	50.00		1250		003953					CEQA FILING FEE, 003953
0001	012	2710	5746		50.00	4020							PROCESSING FEE FOR CEQA FILING, 003953
			Total	50.00	50.00								

## Signatures

Signed By	Approval Level	Department/Agency-Fund Group	Signed On	Valid
Lucero Garcia	Fund/Department	063-General Fund	2/17/2021 3:08:45 PM	Y

**NOTICE OF EXEMPTION**

**TO: Board of Directors, Santa Barbara County Flood Control and Water Conservation District**

**FROM: General Services Department/Support 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: 090-341-051 Case No. Real Property File No. 003953**

**LOCATION:** Near the terminus of North Preisker Lane in the City of Santa Maria, County of San Luis Obispo, State of California.

**PROJECT TITLE:** Transfer of Flood Control Real Property at North Preisker Lane in Santa Maria to the City of Santa Maria

**PROJECT DESCRIPTION:** The Santa Barbara County Flood Control and Water Conservation District (“District”) owns real property located at the terminus of North Preisker Lane in the City of Santa Maria, County of San Luis Obispo, APN 090-341-051 (the “Property”). The District has determined that the Property is not needed for flood control purposes and desires to transfer the Property to the City of Santa Maria to be integrated into the City’s trail system adjacent to the Santa Maria River Levee. The Property consists of approximately .78 acres and is vacant with no building or improvements other than an existing dirt parking lot for area visitors. The proposed action is the transfer of vacant real property and no development is proposed in this action. The transfer will not change the nature of its current use and will not lead to any direct or reasonably foreseeable indirect physical environmental impacts. Any future development of the Property for a public use will be subject to a separate CEQA environmental review.

**EXEMPT STATUS:(Check One)**

- Ministerial
- Statutory
- Categorical Exemption [Section 15325]
- Emergency Project
- No Possibility of Significant Effect [15061(b)(3)]

**Specific CEQA Guideline Section: 15325 and 15061(b)(3).**

**REASONS TO SUPPORT SPECIFIC FINDINGS:**

1. **Section 15325: *Class 25 consists of the transfers of ownership of interests in land in order to preserve open space, habitat, or historical resources. Examples include but are not limited to: (f) Acquisition, sale, or other transfer to preserve open space or lands for park purposes.***

This project consists of the transfer of ownership interests in land in order to preserve open space and lands for park purposes. The Property is not located within one of the critical environmentally sensitive areas identified in Section 15206(b)(4) of Title 14 of the California Code of Regulations. No development is contemplated in the proposed project, and any future development will be the subject of a separate CEQA environmental review.

2. **Section 15061(b)(3) – “Common Sense” Exemption:** *A project is exempt from CEQA if the 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.*

The proposed action consists of a transfer of fee title. This transfer of title will not cause any significant change in use of the Property and it can be seen with certainty that there is no reasonable possibility of a significant effect on the environment or of significant cumulative impacts from projects of the same type.

With regard to the proposed project, the exceptions to the categorical exemptions (CEQA Guidelines Section 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 15325 is a Class 25 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.*

The proposed transfer 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 transfer consists of property that serves as open space. U.S. Highway 101 is nearby, but this project will not result in damage to scenic resources such as trees, historic buildings, or rock outcroppings. 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 transfer 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 transfer does not involve any historical resources. This exception does not apply.

**Lead Agency Contact Person:** Janette D. Pell

**Phone:** (805) 560-1011

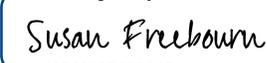
**Department/Division Representative:** Susan Freebourn

**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:

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DATE FILED WITH CLERK OF THE BOARD

<small>DocuSigned by:</small>	
	2/1/2021   9:20 AM PST
<small>40B60A8D57BA4B1...</small>	
Department /Division Representative	Date