

Attachment D

NOTICE OF EXEMPTION

TO: Santa Barbara County Clerk of the Board of Supervisors

FROM: Martin Wilder, Santa Barbara County Public Works, Resource Recovery and Waste Management Division, Laguna County Sanitation District Manager

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: Not Applicable

Case No.: Not Applicable

Location: The Laguna County Sanitation District service territory in the Orcutt and unincorporated areas of the Santa Maria Valley in the 3rd, 4th and 5th Supervisorial Districts

Project Title: Ordinances Amending Chapters 24A and 29-24 of the Santa Barbara County Code Relating to Administrative Fines and Penalties for Violations to Chapter 29, Article III of the County Code.

Project Description: The proposed action involves the adoption of ordinances that would provide for the enforcement for violations to Chapter 29 of the County Code (Ordinance 4074), which regulates the discharge of fats, oils and grease from food service establishments.

Name of Public Agency Approving Project: Board of Supervisors for the Laguna County Sanitation District.

Name of Person or Agency Carrying Out Project: Martin Wilder, LCSD Utilities Manager

Exempt Status: (Check one)

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

Cite specific CEQA and/or CEQA Guideline Section: CEQA Guidelines Section 15308, Actions by Regulatory Agencies for the Protection of the Environment.

Reasons to support exemption findings: CEQA Guidelines Section 15308 (Class 8) consists of actions taken by regulatory agencies as authorized by state or local ordinance to assure the maintenance, restoration, enhancement or protection of the environment

where the regulatory process involves procedures for protection of the environment. The exemption does not include construction activities and relaxation of standards allowing environmental degradation.

This action allows to Laguna County Sanitation District to take enforcement action consistent with other County departments to help prevent illicit discharge to the sewer system as well as sewer system overflows. This action is further supported by the State Water Resources Control Board Order No. 2006-003 regulating the management of publicly owned sanitary sewer systems.

The proposed action is also consistent with CEQA Guidelines section 15308 as it is intended to protect the environment, would not involve any construction activities and would not relax environmental standards. Therefore the project is categorically exempt from CEQA pursuant to this section of the CEQA Guidelines.

Further, 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.**

Section 15308 is a Class 8 categorical exemption 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 proposed project is expected to improve water quality by reducing or preventing the discharge of unauthorized wastewater to the environment. No significant cumulative impacts are expected; therefore this exception is not applicable.

- (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 action follows the criteria established by a state regulatory body and is intended protect the environment by reducing or preventing the unauthorized discharge of wastewater. 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 proposed project would not impact scenic resources and does not involve scenic highways. 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 proposed project does not involve any hazardous waste sites. 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 proposed ordinance is not expected to result in any structural or physical changes that would impact historical qualities or change the historical significance of a property. Therefore this exception does not apply.

Lead Agency Contact Person: Martin Wilder, Utilities Manager Phone #: 739-8755

Department/Division Representative: Martin Wilder Date: 12-5-2017

Acceptance Date: _____

Date Filed by Clerk of the Board: _____