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NOTICE OF CEQA EXEMPTION

2023 JUN -7 A 9:29

TO: Santa Barbara County Clerk of the Board of Supervisors

COUNTY OF SANTA BARBARA
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): 059-020-059, -041, -042, -048, -039, -058, and -052, (Donation) **Case No. Real Property File No. 003994**
059-020-040, -049, -050, -051, (Acquisition)

LOCATION: Within an unincorporated area in the County of Santa Barbara, State of California

PROJECT TITLE: Donation of approximately 77-acres and the Acquisition of approximately 24-acres (003994); First District

PROJECT DESCRIPTION: The proposed donation of real property consisting of approximately 77-acres located, in the unincorporated area of Santa Barbara County, known as Assessor Parcel Numbers 059-020-059, -041, -042, -048, -039 and -058, and -052, ("Parcels") and proposed acquisition of real property consisting of approximately 24-acres of land in an unincorporated area of the County of Santa Barbara, known as Assessor Parcel Numbers 059-020-040, -049, -050, -051, ("LOTS"). The recommended actions include authority to execute the Real Property Donation and Acquisition Agreements and Escrow Instructions, which will allow for public open space and passive recreational uses, such as hiking trails, as well as use for public access, wildlife, native plants and habitat preservation, and ecological restoration and protection of native species and their habitats, in the County of Santa Barbara.

- EXEMPT STATUS:**
- Ministerial
 - Statutory
 - Exemption [Sections 15316 and 15325]
 - 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*].

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 donation, 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 donation and 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.

As described above, none of the exceptions to the categorical exemptions contained within Sections 15316 and 15325, 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)

Sections 15316 and 15325 are Class 16 and Class 25 Exemptions, respective, therefore this exception is not applicable.

- (a) *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.

- (b) *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 donation and 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.

- (c) *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 donation and 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.

(d) 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.

(e) 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: James Cleary **Phone:** (805) 568-3072

Department/Division Representative: Julie Lawrence

Distribution: Board of Supervisors

DATE FILED WITH CLERK OF THE BOARD

DocuSigned by:
Julie Lawrence
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5/23/2023 | 12:57 PM PDT

Department /Division Representative

Date



2023 CEQA Transmittal Memorandum

County of Santa Barbara - Clerk of the Board of Supervisors

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

(805) 568-2240

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 jamEs Cleary		Phone 805-568-3072	
Lead Agency General Services		Lead Agency Email jcleary@countyofsb.org	
Project Title Donation and Acquisition Agreements for San Marcos Foothills; First District (Folio 3994)			
Project Applicant jamEs Cleary	Email jcleary@countyofsb.org	Phone 805-568-3072	
Project Applicant Address 1105 Santa Barbara St	City Santa Barbara	State CA	Zip 93101

DOCUMENT BEING FILED:

- Environmental Impact Report (EIR)
 - 2023 Filing Fee\$3,839.25
 - Previously Paid (must attach receipt) \$0.00
 - No Effect Determination (must be attached)..... \$0.00

- Negative Declaration or Mitigated Negative Declaration
 - 2023 Filing Fee\$2,764.00
 - 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, effective 7/19/18) \$50.00

TOTAL: \$ 50.00

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

- Cash Credit Card Check # _____ Journal Entry # 0249173
- (in person only)



State of California - Department of Fish and Wildlife
2023 ENVIRONMENTAL DOCUMENT FILING FEE
CASH RECEIPT
 DFW 753.5a (REV. 01/01/23) Previously DFG 753.5a

Print **Print Over** **Save**

RECEIPT NUMBER:
 42 — 06/07/2023 — 156
 STATE CLEARINGHOUSE NUMBER (If applicable)

SEE INSTRUCTIONS ON REVERSE. TYPE OR PRINT CLEARLY.

LEAD AGENCY General Services	LEAD AGENCY EMAIL jcleary@countyofsb.org	DATE 06/07/2023
COUNTY/STATE AGENCY OF FILING Santa Barbara	DOCUMENT NUMBER	

PROJECT TITLE

Donation and Acquisition Agreements for San Marcos Foothills; First District (Folio 3994)

PROJECT APPLICANT NAME James Cleary	PROJECT APPLICANT EMAIL jcleary@countyofsb.org	PHONE NUMBER (805) 568-3072
PROJECT APPLICANT ADDRESS 1105 Santa Barbara St.	CITY Santa Barbara	STATE CA
		ZIP CODE 93101

PROJECT APPLICANT (Check appropriate box)

- Local Public Agency School District Other Special District State Agency Private Entity

CHECK APPLICABLE FEES:

- | | | | |
|-------------------------------------------------------------------------------------------------------------|------------|----|-------|
| <input type="checkbox"/> Environmental Impact Report (EIR) | \$3,839.25 | \$ | 0.00 |
| <input type="checkbox"/> Mitigated/Negative Declaration (MND)(ND) | \$2,764.00 | \$ | 0.00 |
| <input type="checkbox"/> Certified Regulatory Program (CRP) document - payment due directly to CDFW | \$1,305.25 | \$ | 0.00 |
|
 | | | |
| <input checked="" type="checkbox"/> Exempt from fee | | | |
| <input checked="" type="checkbox"/> Notice of Exemption (attach) | | | |
| <input type="checkbox"/> CDFW No Effect Determination (attach) | | | |
| <input type="checkbox"/> Fee previously paid (attach previously issued cash receipt copy) | | | |
| <hr/> | | | |
| <input type="checkbox"/> Water Right Application or Petition Fee (State Water Resources Control Board only) | \$850.00 | \$ | 0.00 |
| <input checked="" type="checkbox"/> County documentary handling fee | | \$ | 50.00 |
| <input type="checkbox"/> Other | | \$ | |

PAYMENT METHOD:

- Cash Credit Check Other

TOTAL RECEIVED \$ 50.00

SIGNATURE

X

AGENCY OF FILING PRINTED NAME AND TITLE

Chelsea Lenzy, Deputy Clerk



State of California - Department of Fish and Wildlife
2023 ENVIRONMENTAL DOCUMENT FILING FEE
CASH RECEIPT
 DFW 753.5a (REV. 01/01/23) Previously DFG 753.5a

NOTICE

Each project applicant shall remit to the county clerk the environmental filing fee before or at the time of filing a Notice of Determination (Pub. Resources Code, § 21152; Fish & G. Code, § 711.4, subdivision (d); Cal. Code Regs., tit. 14, § 753.5). Without the appropriate fee, statutory or categorical exemption, or a valid No Effect Determination issued by the California Department of Fish and Wildlife (CDFW), the Notice of Determination is not operative, vested, or final, and shall not be accepted by the county clerk.

COUNTY DOCUMENTARY HANDLING FEE

The county clerk may charge a documentary handling fee of fifty dollars (\$50) per filing in addition to the environmental filing fee (Fish & G. Code, § 711.4, subd. (e); Cal. Code Regs., tit. 14, § 753.5, subd. (g)(1)). A county board of supervisors shall have the authority to increase or decrease the fee or charge, that is otherwise authorized to be levied by another provision of law, in the amount reasonably necessary to recover the cost of providing any product or service or the cost of enforcing any regulation for which the fee or charge is levied (Gov. Code, § 54985, subd. (a)).

COLLECTION PROCEDURES FOR COUNTY GOVERNMENTS

Filing Notice of Determination (NOD):

- Collect environmental filing fee or copy of previously issued cash receipt. *(Do not collect fee if project applicant presents a No Effect Determination signed by CDFW. An additional fee is required for each separate environmental document. An addendum is not considered a separate environmental document. Checks should be made payable to the county.)*
- Issue cash receipt to project applicant.
- Attach copy of cash receipt and, if applicable, previously issued cash receipt, to NOD.
- Mail filing fees for CRP document to CDFW prior to filing the NOD or equivalent final approval (Cal. Code Regs. Tit. 14, § 753.5 (b)(5)). The CRP should request receipt from CDFW to show proof of payment for filing the NOD or equivalent approval. Please mail payment to address below made attention to the Cash Receipts Unit of the Accounting Services Branch.

If the project applicant presents a **No Effect Determination** signed by CDFW, also:

- Attach No Effect Determination to NOD *(no environmental filing fee is due)*.

Filing Notice of Exemption (NOE) *(Statutorily or categorically exempt project (Cal. Code Regs., tit. 14, §§ 15260-15285, 15300-15333))*

- Issue cash receipt to project applicant.
- Attach copy of cash receipt to NOE *(no environmental filing fee is due)*.

Within 30 days after the end of each month in which the environmental filing fees are collected, each county shall summarize and record the amount collected on the monthly State of California Form No. CA25 (TC31) and remit the amount collected to the State Treasurer. Identify the remittance on Form No. CA25 as "Environmental Document Filing Fees" per Fish and Game Code section 711.4.

The county clerk shall mail the following documents to CDFW on a monthly basis:

- ✓ A photocopy of the monthly State of California Form No. CA25 (TC31)
- ✓ CDFW/ASB copies of all cash receipts (including all voided receipts)
- ✓ A copy of all CDFW No Effect Determinations filed in lieu of fee payment
- ✓ A copy of all NODs filed with the county during the preceding month
- ✓ A list of the name, address and telephone number of all project applicants for which an NOD has been filed. If this information is contained on the cash receipt filed with CDFW under California Code of Regulations, title 14, section 753.5, subdivision (e)(6), no additional information is required.

DOCUMENT RETENTION

The county shall retain two copies of the cash receipt (for lead agency and county clerk) and a copy of all documents described above for at least 12 months.

RECEIPT NUMBER

- # The first two digits automatically populate by making the appropriate selection in the County/State Agency of Filing drop down menu.
- # The next eight digits automatically populate when a date is entered.
- # The last three digits correspond with the sequential order of issuance for each calendar year. For example, the first receipt number issued on January 1 should end in 001. If a county issued 252 receipts for the year ending on December 31, the last receipt number should end in 252. CDFW recommends that counties and state agencies 1) save a local copy of this form, and 2) track receipt numbers on a spreadsheet tabbed by month to ensure accuracy.

DO NOT COMBINE THE ENVIRONMENTAL FEES WITH THE STATE SHARE OF FISH AND WILDLIFE FEES.

Mail to:

California Department of Fish and Wildlife
 Accounting Services Branch
 P.O. Box 944209
 Sacramento, California 94244-2090