

Attachment 2

ATTACHMENT 2

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 - 0216527
Document Description: CEQA FILING FEE 001140 Tepusquet Peak, License & Release
Post On: 4/15/2021

Batch ID: 2530057
Created On: 4/7/2021 10:45:33 AM
Processed On:
Created By: Lucero Garcia
Processed By:

References

Audit Trail: Cash Type:

Accounting

<u>Fund</u>	<u>Dept</u>	<u>GL Acct</u>	<u>LI Acct</u>	<u>Debit Amount</u>	<u>Credit Amount</u>	<u>Prog</u>	<u>OUnit</u>	<u>Proj</u>	<u>Act</u>	<u>Area</u>	<u>Equip</u>	<u>Depositor</u>	<u>Description</u>
0001	063	2810	7508	50.00		1250		001140					CEQA FILING FEE, 001140
0001	012	2710	5746		50.00	4020							PROCESSING FEE FOR CEQA FILING, 001140
			Total	<u>50.00</u>	<u>50.00</u>								

Signatures

<u>Signed By</u>	<u>Approval Level</u>	<u>Department/Agency-Fund Group</u>	<u>Signed On</u>	<u>Valid</u>
Lucero Garcia	Fund/Department	063-General Fund	4/7/2021 10:59:40 AM	Y

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: 131-220-012 Case No. Real Property File No. 001140

LOCATION: Assessor Parcel Number 131-220-012, within the City of Santa Maria, County of Santa Barbara, State of California.

PROJECT TITLE: License and Release Agreement to access a public safety radio transmission facility at Tepusquet Peak

PROJECT DESCRIPTION: License and Release Agreement (Agreement) between the County of Santa Barbara (County) and Jacob's Golden Eagle Trust (Owner) to provide County staff access to the County's communications facility located on the North Site of Tepusquet Peak, east of Santa Maria, on United States Department of Agriculture, Forest Service (USFS) property, to continue to maintain and operate a public safety radio transmission facility for a period twenty (20) years.

EXEMPT STATUS: (Check One)

- Ministerial
- Statutory
- Categorical Exemption [Section 15301]
- Emergency Project
- No Possibility of Significant Effect

CEQA Guideline Sections: 15301 [*Existing Facilities*]

Reasons to support exemption findings: The proposed action is categorically exempt from environmental review pursuant to Section 15301 of the Guidelines for Implementation of the California Environmental Quality Act (CEQA), which allows for the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of existing or former use.

With regard to the proposed project, the exceptions to the Existing Facilities categorical exemption 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 an environmental resources of hazardous or critical concern where designated, precisely mapped, and official adopted pursuant to law by federal, state, or local agencies.*

Section 15301 is a Class 1 Categorical 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 Agreement will not result in any physical changes outside the licensed area 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.*

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 project 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.*

The proposed project does not involve historical resources. This exception does not apply.

As described above, none of the exceptions to the categorical exemptions contained within Section 15300.2 of the State CEQA Guidelines apply to this project.

Local Agency Contact Person: James Cleary **Phone:** (805) 568-3072

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

 04.01.2021
Department /Division Representative Date