

# **ATTACHMENT 2**

## **Notice of Exemption**

### **CEQA**

**Assignment of Conservation  
Easement Anderson Purisima Hills**

## NOTICE OF EXEMPTION

**TO: Santa Barbara County Clerk of the Board of Supervisors**  
**FROM: General Services Department**

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)** 099-060-021 and 099-070-036

**Case No. File No.** 003585

**LOCATION:** 3200 Gypsy Canyon Road, Purisima Hills, Santa Barbara County

**PROJECT TITLE:** Assignment of Conservation Easement Anderson Purisima Hills

**PROJECT DESCRIPTION:** Assignment and Assumption of Conservation Easement Deed and Agreement, to transfer the approximately 16 acre Anderson Purisima Hills Conservation Easement to the Land Trust for Santa Barbara County to provide for the perpetual management and monitoring of the Conservation Easement with an endowment payment.

**NAME OF PUBLIC AGENCY APPROVING PROJECT:** County of Santa Barbara

**NAME OF PERSON OR AGENCY CARRYING OUT THE PROJECT:** Don Grady, General Services

**EXEMPT STATUS: (Check One)**

Ministerial

Statutory

Categorical Exemption [Sections 15325]

Emergency Project

No Possibility of Significant Effect/Not a project [15378]

**Cite specific CEQA Guideline Section:** 15378 (b)(3). Project; 15325 (a) and (b). Transfers to Preserve Natural Conditions

**Reasons to support exemption findings:** As set forth in CEQA Guidelines, Section 15378 (b)(5) a “Project” for purposes of CEQA does not include “Organizational or administrative activities of governments that will not result in direct or indirect physical changes in the environment.” The recommended action of approving the Assignment and Assumption of Conservation Easement Deed and Agreement, and establishing an endowment is an administrative activity that will not result in direct or indirect physical changes to the environment, and is therefore not a “project” and is exempt from further environmental review under CEQA.

In addition, as set forth in CEQA Guidelines, Section 15325, Transfers of ownership of interests in land to preserve existing natural conditions and historical resources, subsection (a) includes the “Acquisition, sale, or other transfer of areas to preserve the existing natural conditions, including plant or natural habitats.” Subsection (b) of this categorical exemption includes the “Acquisition, sale, or other transfer of areas to allow continued agricultural use of the areas.” In this case, the County is transferring to the Land Trust for Santa Barbara County, an existing Conservation Easement over a portion of the property located at 3200 Gypsy Canyon Road, in the Purisima Hills area near Lompoc, to preserve the existing natural habitat. A portion of the Conservation Easement area has been rehabilitated to create and preserve a potential breeding pond for the Federally-protected California Tiger Salamander (CTS). Preservation of that area will preserve the existing conditions, which includes natural habitats for the CTS. Another portion of the Anderson Conservation Easement area has been preserved for agricultural activities that are consistent with the preservation and

protection of CTS migratory activities. Therefore, the County's transfer of the Anderson Conservation Easement is also exempt from the preparation of environmental documents pursuant to Section 15325 (b).

**Section 15300.2 Exceptions:**

Section 15300.2 of the CEQA Guidelines provides exceptions to categorical exemptions, depending on the class of the project listed in the Guidelines. Projects that fall under Section 15325 are considered class 25 projects, which consist of the transfers of ownership of interests in land in order to preserve open space, habitat, or historical resources. When applying a categorical exemption, the following exceptions must be considered:

- (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.*

The Section 15325 is a Class 25 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.*

In this case, the County's transfer of the Anderson Conservation Easement will result in the perpetual preservation of the easement area in its natural condition. Although there are other similar Conservation Easements in the general area; the Anderson Conservation is exclusive, so there will not be successive projects of the same type in the same conservation easement area. Accordingly, the cumulative impact of successive projects of the same type in the same place over time would not be significant.

- (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.*

There are no unusual circumstances that would indicate a possibility of significant effect on the environment caused by the transfer of the conservation easement. The purpose of the transfer is to protect the easement area in perpetuity. Subsection (a) of 15325 specifically exempts transfers of areas to preserve natural conditions, including plant or animal habitat. In this case, a portion of the easement area is preserved for protection of a rehabilitated pond area to create and preserve potential breeding habitat for the CTS. Subsection (b) of 15325 exempts transfers of areas to allow continued agricultural use of the areas. The preservation of the passive agricultural activities in the easement area poses no threat of a significant effect on the environment. There are no unusual circumstances that would indicate further environmental review is required. 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.*

This proposed project is not visible from any scenic highways. 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 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.*

This project does not involve any 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:** Don Grady

**PHONE NUMBER:** 805 568-3065

  
\_\_\_\_\_  
Department/Division Representative

*2/23/17*  
\_\_\_\_\_  
Date

**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.

Distribution:

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DATE FILED WITH CLERK OF THE BOARD