

NOTICE OF CEQA 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(s): 059-020-059, -041, -042, -048, **Case No. Real Property File No. 003994**
-039, -058, and -052, (Donation)
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)