

**ATTACHMENT 5: NOTICE OF EXEMPTION**

**TO:** Santa Barbara County Clerk of the Board of Supervisors

**FROM:** Tina Mitchell, Planning and Development

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.

**APNs:** 129-170-027 and 129-170-028      **Case No.:** 20AGP-00000-00020

**Location:** 4399 Dominion Road in the Santa Maria area, Fourth Supervisorial District

**Project Title:** GSR, LLC New Agricultural Preserve Contract

**Project Applicant:** GSR, LLC, c/o Curtis Fernandes

**Project Description:** New Agricultural Preserve Contract No. 20AGP-00000-00020, a single preserve of 158.91 acres (APNs 129-170-027 and 129-170-028)

**Name of Public Agency Approving Project:** County of Santa Barbara

**Name of Person or Entity Carrying Out Project:** GSR, LLC, c/o Curtis Fernandes

**Exempt Status:**

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

**Cite specific CEQA and/or CEQA Guidelines Section:** 15317 [Open Space Contracts or Easements]

**Reasons to support exemption findings:** The proposed project is exempt from environmental review under CEQA pursuant to Section 15317 of the State CEQA Guidelines. Section 15317 exempts the establishment of agricultural preserves under the Williamson Act. The creation of an Agricultural Preserve will not cause a significant environmental impact to the surrounding area. The project site is approximately 158.91 acres and used for seasonal row crops. The project will not increase the demand on existing services, will not result in the loss of any existing native vegetation, will not require extensive grading or land alteration, nor will it impact any biological, archaeological or other sensitive environmental resources.

The proposed project does not involve 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.**

This exception to the categorical exemptions does not apply to Class 17 exemptions.

- (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.**

This exception to the categorical exemptions does not apply because the project will not result in a cumulatively significant impact. The proposed project is for the placement of property into the Williamson Act Program (Agricultural Preserve). Upon approval of the Agricultural Preserve contract the parcel size would remain unchanged. The proposal would not result in an increase in development potential or an increase in subdivision potential. The property owner would continue their current agricultural operations. The cumulative impact of successive project of this 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.**

This exception to the categorical exemptions does not apply because there is no substantial evidence that the proposed project involves unusual circumstances, including future activities, resulting in or which might reasonably result in significant effects on the environment. The proposed project is for the placement of property into the Williamson Act Program (Agricultural Preserve). Upon approval of the Agricultural Preserve contract the parcel size would remain unchanged. The proposal would not result in an increase in development potential or an increase in subdivision potential. The property owner would continue their current agricultural operations.

- (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 exception to the categorical exemptions does not apply because the site is not visible from any highway officially designated as a state scenic highway. As such, there are no protected scenic views impacted by the project.

- (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 exception to the categorical exemptions does not apply because the project site is not included on any list compiled pursuant to Section 65962.5 of the Government Code.

- (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 exception to the categorical exemptions does not apply because the proposed project will have no impact on any historical resource. No construction or grading is proposed as a part of the project and there are no known historical resources located on or adjacent to the proposed project site..

**Lead Agency Contact Person:** Tina Mitchell

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**Department/Division Representative:**

*Tina Mitchell*

**Date:** November 23, 2022

**Acceptance Date:** \_\_\_\_\_

**Distribution:** Hearing Support Staff

**Date Filed by County Clerk:** \_\_\_\_\_