

## **Attachment A**

# **CEQA Documentary Handling Fee Ordinance**

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE ESTABLISHING THE  
CEQA DOCUMENTARY HANDLING FEE**

THE BOARD OF SUPERVISORS OF THE COUNTY OF SANTA BARBARA, STATE OF CALIFORNIA, ORDAINS AS FOLLOWS:

**SECTION 1: Findings**

**WHEREAS**, pursuant to Fish & Game Code § 711.4, the California Department of Fish and Wildlife has imposed and collects a filing fee to defray the costs of managing and protecting fish and wildlife trust resources, including, but not limited to, consulting with other public agencies, reviewing environmental documents, recommending mitigation measures, and developing monitoring requirements for purposes of the California Environmental Quality Act (CEQA); and

**WHEREAS**, the California Department of Fish and Wildlife requires project proponents to pay CEQA environmental filing fees at the time that a Notice of Determinations filed with the County at the Clerk of the Board Office; and

**WHEREAS**, the Clerk of the Board Office is responsible for accepting, providing receipts and posting these environmental documents. In addition, the Clerk of the Board is responsible for the collection of the CEQA environmental filing fee associated with each environmental document and remitting those fees to the California Department of Fish and Wildlife; and

**WHEREAS**, County Clerks may charge a \$50 “handling fee” for each type of environmental document filed with the Clerk, including Notices of Exemption that are filed for projects that are exempt from CEQA. (Fish & Game Code § 711.4; 14 CCR § 753.5); and

**WHEREAS**, pursuant to Government Code §§ 54985, 54856, the County Board of Supervisors has authority to adopt fees in the amount reasonably necessary to recover the cost of providing services; and

**WHEREAS**, the CEQA Documentary Handling Fee is directly related to the cost reasonably necessary for filing and processing environmental documents; and

**WHEREAS**, on June 5, 2018, the County held a public hearing on the proposed CEQA Documentary Handling Fee Ordinance as part of a regularly scheduled meeting of the Board; and

**WHEREAS**, the County Board of Supervisors finds that the \$50 CEQA handling fee set forth in this Ordinance is exempt from CEQA pursuant to 14 CCR § 15378(b)(5), since the recommended actions are administrative activities of the County which will not result in direct or indirect physical changes in the environment, and 14 CCR § 15273 and Public Resources Code §21080(b)(8)(A) and (B), in that the fees will be used for operating expenses and for the purchase of supplies, equipment, and materials.

**SECTION 2: Authority.**

The fees set forth in this Ordinance are hereby adopted pursuant to California Fish & Game Code § 711.4(e), to recover the cost of administering the CEQA Environmental Filings Fee program in the Clerk of the Board Office.

**SECTION 3: Fees.**

The Board hereby adopts the following CEQA Documentary Handling Fee:

**Fees.** A \$50.00 CEQA Documentary Handling Fee shall be charged for each Notice of Exemption, Negative Declaration, Mitigated Negative declaration, Environmental Impact Report or Environmental Document pursuant to Certified regulatory Program that is filed in the Clerk of the Board Office.

**SECTION 4: Severability.**

If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be invalid, such decision shall not affect the validity of the remaining portions of this Ordinance. The Board of Supervisors hereby declares that it would have passed this Ordinance and each section, subsection, sentence, clause and phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, or phrases be declared invalid.

**SECTION 5: Effective and Operative Date.**

This Ordinance shall take effect and be in force 30 days from the date of its adoption by the Board of Supervisors and before the expiration of 15 days after its passage a summary of it shall be published once together with the names of the members of the Board of Supervisors voting for and against the same in the *Santa Barbara News-Press*, a newspaper of general circulation published in the County of Santa Barbara.

PASSED, APPROVED AND ADOPTED by the Board of Supervisors of the County of Santa Barbara, State of California, this \_\_\_\_ day of \_\_\_\_\_ 2018 by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

COUNTY OF SANTA BARBARA

By: \_\_\_\_\_  
DAS WILLIAMS  
CHAIR, BOARD OF SUPERVISORS

Date: \_\_\_\_\_

ATTEST:

MONA MIYASATO  
COUNTY EXECUTIVE OFFICER  
CLERK OF THE BOARD

By: \_\_\_\_\_  
Deputy Clerk

Date: \_\_\_\_\_

APPROVED AS TO FORM:  
MICHAEL C. GHIZZONI  
COUNTY COUNSEL

By:   
Deputy County Counsel

APPROVED AS TO FORM:  
THEODORE FALLATI, CPA  
AUDITOR-CONTROLLER

By:   
Deputy