

ATTACHMENT B: ENVIRONMENTAL REVIEW

NOTICE OF EXEMPTION

TO: Santa Barbara County Clerk of the Board of Supervisors

FROM: Florence Trotter-Cadena, Planning & 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.

APN: 099-100-037

Case No.: 09RZN-00000-00001

Location: 4777 East Highway 246

Project Title: Pepe Consistency Rezone

Project Description: Consistency Rezone

Name of Public Agency Approving Project: County of Santa Barbara

Name of Person or Agency Carrying Out Project: Jane Gray, Dudek

Exempt Status: (Check one)

Ministerial

Statutory

Categorical Exemption

Emergency Project

No Possibility of Significant Effect [§15061(b,3)]

Cite specific CEQA Guideline Section: Cite specific CEQA Guideline Section: 15061(b)(3), [No Possibility of Significant Effect] This section exempts projects under the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment. The rezone will not have a significant effect on surrounding environment. The project site has adequate water, and other services. The project will not increase the demand on existing services, will not result in the loss of any existing native vegetation, would not require extensive grading or land alteration, nor impact any biological, archaeological or other sensitive environmental resources. Therefore, the general rule exemption is appropriate as there is no possibility of a significant environmental impact.

There is no substantial evidence that there are unusual circumstances related to the project (including future activities) which would result 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.

- (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.
- (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.
- (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.
- (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.
- (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.

Lead Agency Contact Person: Florence Trotter-Cadena Phone #: (805)934-6253

Department/Division Representative: _____ Date: _____

Acceptance Date: _____

Note: A copy of this form must be posted at P&D 6 days prior to a decision on the project. Upon project approval, this form must be filed with the County Clerk of the Board and posted by the Clerk of the Board for a period of 30 days to begin a 35 day statute of limitations on legal challenges.

distribution: Hearing Support Staff
Project file (when P&D permit is required)
Date Filed by County Clerk: _____.

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APN: 099-100-037

Case No.: 09AGP-00000-00001

Location: 4777 East Highway 246

Project Title: Pepe Agricultural Preserve Contract

Project Description: The proposed project consists of the placement of one parcel into an Agricultural Preserve. The parcel qualifies for enrollment into the preserve program as a "prime" preserve pursuant to Uniform Rule 1, Section I.2.2.C and meets the minimum 40 acres parcel size required for a prime preserve. The prime preserve would consist of one parcel totaling 40.98 acres.

Name of Public Agency Approving Project: County of Santa Barbara

Name of Person or Agency Carrying Out Project: Jane Gray, Dudek

Exempt Status: (Check one)

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

Cite specific CEQA and/or CEQA Guideline Section: Reasons to support exemption findings: 15317, [Establishment Agricultural Preserve] This section 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 has adequate water, and other facilities. The project is currently used for the cultivation of row crops. The project will not cause an 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.

There is no substantial evidence that there are unusual circumstances related to the project (including future activities) which would result 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:

- (g) 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.
- (h) 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.
- (i) 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.
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