

Attachment 2

ATTACHMENT 2

CEQA Notice of Exemption



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		Phone	
Lead Agency		Lead Agency Email	
Project Title			
Project Applicant	Email	Phone	
Project Applicant Address	City	State	Zip

DOCUMENT BEING FILED:

- Environmental Impact Report (EIR)
- 2022 Filing Fee\$3,539.25
- Previously Paid (**must attach receipt**) \$0.00
- No Effect Determination (**must be attached**)..... \$0.00

- Negative Declaration or Mitigated Negative Declaration
- 2022 Filing Fee\$2,548.00
- 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: _____

PAYMENT METHOD: ALL APPLICABLE FEES MUST BE PAID AT THE TIME OF FILING

- Cash Credit Card Check # _____ Journal Entry # _____
(in person only)

NOTICE OF 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) 069-350-031 **Case No. Real Property File No.** 004028

LOCATION: 642 N. Kellogg Ave, Goleta California

PROJECT TITLE: Lease Agreement with Dish Wireless at Kellogg Open Space, Goleta California

PROJECT DESCRIPTION: The proposed action is for the proposed leasing, operation and maintenance of a wireless communication facility. Therefore, the action does not have a potential for causing an effect on the environment.

EXEMPT STATUS: (Check One)

- Ministerial
- Statutory
- Categorical Exemption [*§15303 New Construction or Conversion of Small Structures and §15304 Minor Alterations to Land*]
- Emergency Project
- No Possibility of Significant Effect

Cite specific CEQA Guideline Sections: 15303 [*New Construction or Conversion of Small Structures*] and 15304 [*Minor Alterations to Land*]

Reasons to support exemption findings: The proposed action is categorically exempt from environmental review pursuant to Section 15303 [*New Construction or Conversion of Small Structures*] allows the proposed for the purpose of adding a small facility or structure. Further, Section 15304 [*Minor Alterations to Land*] exempts minor public or private alternations in the condition of land which do not involve mature tree removal, except for agricultural or forestry purposes is not part of the action of the proposed lease agreement. Therefore, approval of the proposed lease agreement is exempt from CEQA in accordance with Sections 15303 and 15304.

With regard to the proposed project, the exceptions to the Existing Facilities categorical exemption that must be considered 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 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 proposed project would not be located in environmentally sensitive habitat. No significant vegetation would be removed to accommodate the project. No known archaeological or historical resources would be affected by the project. There are no known landslides, expansive soils, or other hazardous resources designated or precisely mapped on the project site. Therefore, this exception to the categorical exemption does not apply.

- (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.***

The proposed project is for a Development Plan for a Tier 2(c) commercial telecommunications facility. The facility will be collocated on an existing monopole with a maximum height of 60 feet 5 inches. The proposed equipment will consist of six, 6-foot panel antennas mounted at a maximum height of 46 feet, twelve remote radio units, one surge suppressor, one hybrid cable, two equipment cabinets, one H-frame with PPC and Telco cabinet, one GPS antenna, a new 200 120/240V electrical meter, and one emergency generator camlock. A new 12-foot by 12-foot, fenced cabinet enclosure is proposed adjacent to an existing enclosure to contain the proposed cabinets. A radio frequency (RF) and Electro-Magnetic Energy (EME) emissions report was prepared as part of the proposed project. The report concluded that the direct and cumulative emissions of the proposed project will operate within the applicable Federal Communications Commission (FCC) limit. Any future telecommunications facility on the site would be analyzed for potential environmental impacts, and all future facilities would also be required to meet Federal Communications Commission (FCC) radio frequency emission limits. Similar development in the same place over time, developed in conformance with the applicable ordinance, policy and FCC regulations would not result in a cumulatively significant impact. Therefore, this exception to the categorical exemption does not apply.

- (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 known unusual circumstances of the project or the proposed location that will cause the project to have a significant effect on the environment. In addition, as stated above, the RF/EME emissions generated from the proposed project are projected to be within the FCC emissions limits, and therefore the facility would not have a significant effect on the environment. Therefore, this exception to the categorical exemption 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.***

No portions of the project will be visible from any highways officially designated as a state scenic highway. Therefore, the proposed development would not result in damage to scenic

resources within a highway officially designated as a state scenic highway and this exception to the categorical exemption 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 proposed 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.*

The proposed development would not be located on any historical resources and would therefore have no impact on any historical resource. Therefore, this exception to the categorical exemption 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.


Lead Agency Contact Person: James Cleary

Phone: (805) 568-3072

Department/Division Representative: James Cleary

Distribution: Board of Supervisors

DATE FILED WITH CLERK OF THE BOARD



Department /Division Representative

25 SEPT 2023
Date