

Attachment D

NOTICE OF EXEMPTION

TO: Santa Barbara County Clerk of the Board of Supervisors

FROM: Public Works Department, Resource Recovery and Waste Management

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: Multiple **Case No.:** Not Applicable

Location: County-operated facilities (ReSource Center, Landfill, and Transfer Stations) throughout Santa Barbara County (All Supervisorial Districts)

Project Title: Solid Waste Tipping and Parcel Fees for FY 2023/24 - All Supervisorial Districts

Project Description: Adoption of a resolution setting fee schedules for solid waste handling and disposal fees at County operated facilities for Fiscal Year, Adoption of a resolution to be effective July 1, 2023, setting the Parcel Fee Schedule for the Cuyama Valley for Fiscal Year 23/24; and approval of the proposed adjusted Per Ton Processing Rate of \$42.96 to be paid by the County to MSB Investors, LLC for the processing of municipal solid waste, source separated recyclables and source separated organics at the ReSource Center.

Name of Public Agency Approving Project: County of Santa Barbara

Name of Person or Agency Carrying Out Project: Santa Barbara County Public Works Department, Resource Recovery and Waste Management Division.

Exempt Status: (Check one)

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

Cite specific CEQA and/or CEQA Guideline Section: CEQA Guideline Section 15273. (a) (1) (2) (3) and (4) Rate, Tolls, Fares, and Charges.

Reasons to support exemption findings:

CEQA does not apply to the establishment, modification, structuring, restructuring, or approval of rates, tolls, fares, or other charges by public agencies which the public agency finds are for the purpose of meeting operating expenses, purchasing or leasing of supplies, equipment or material, meeting financial reserve needs and requirements or obtaining funds for capital projects, necessary to maintain service within existing service areas. Tipping fees at County solid waste facilities, parcel fees in New Cuyama and the per ton processing rate for the ReSource Center are set each year based on the actual cost of providing the service the prior fiscal year, as well as complying with the Resource Recovery & Waste

Management Division's long-term financial pro forma for funding of capital, regulatory compliance, and closure/post-closure requirements associated with its solid waste management system and compliance with state regulations including AB 1826 and SB 1383, which require the recovery of organics from landfilling and the development of facilities capable of processing organic waste from the municipal waste stream in an effort to reduce the statewide generation of short-lived pollutants. In FY 23/24 the mechanism to set the rate charged at the Tajiguas Landfill is established in the regional agreements between the County and the participating jurisdictions and in the financing documents for the construction and operation of the ReSource Center (formerly the Tajiguas Resource Recovery Project). As a capital project, the Tajiguas Resource Recovery Project was separately reviewed under CEQA in 12EIR-00000-00002 certified by the Board of Supervisors on July 12, 2016 and Addendum dated August 11, 2017 (revised October 26, 2017), considered by the Board of Supervisors on November 14, 2017. During FY 23/24, the proposed tipping fee at the Tajiguas Landfill will increase from \$170 to \$176 per ton, there will be no increase in the Cuyama Valley parcel fees and the per ton processing rate at the ReSource Center will increase from \$36.18 to \$42.96. Most other rates for waste handled at County facilities are proposed to increase by an average rate of 6.9%. Consistent with the requirements of this exemption, the proposed rate/fees are for the purpose of meeting ongoing operational expenses and regulatory requirements at approved and permitted facilities, and not for system expansion.

Lead Agency Contact Person: Jeanette Gonzales-Knight, Interim Deputy Director

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Department/Division Representative:  Joddi Leipner, Senior Engineering Environmental Planner

Date: May 1, 2023

Acceptance Date: