

Attachment D

Notice of Exemption

**NOTICE OF EXEMPTION**

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

**FROM:** Planning & Development, Energy & Minerals Division

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:** APNs: 047-010-064, 047-010-065, and 047-061-026

**Case No.:** n/a

**Location:** Along Las Positas Road and Arroyo Burro Creek, up from Arroyo Burro County Park

**Projects Title:** Coastal Resource Enhancement Fund Grant for the purchase of the Arroyo Burro Creek Project to protect sensitive coastal habitats

**Projects Description:** Coastal Resource Enhancement Fund Grant in the amount of \$300,000 to The Trust for Public Land for helping to purchase the Arroyo Burro Creek Property, including execution of a Conservation Easement over the property.

**Name of Public Agency Approving Project:** n/a

**Name of Person or Agency Carrying Out Project:** The Trust for Public Land

**Exempt Status:** (Check one)

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

**Cite specific CEQA and/or CEQA Guideline Section:** 15313(a) and (c) and 15317

**Reasons to support exemption findings:**

CEQA Section 15313 exempts acquisition of lands for fish and wildlife conservation purposes, including (a) preservation of fish and wildlife habitat, and (c) preserving access to public lands and waters where the purpose of the acquisition is to preserve the land in its natural condition. CEQA Section 15317 exempts acceptance of easements to maintain open space. The project is exempt since a Conservation Easement to protect the natural habitat onsite will be recorded with the land and conveyed to the County, the California Coastal Conservancy and the California Natural Resources Agency.

There is no substantial evidence that there are 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.**

Classes 3, 4, 5, 6 and 11 are being utilized. The proposed project involves purchase of open space property, and with that purchase, a conservation easement to protect the natural habitat onsite will be recorded with the land and conveyed to the County, the California Coastal Conservancy and the California Natural Resources Agency. No development or restoration is proposed at this point; therefore, this exception 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.**

Successive projects of the same type in the same places as the proposed project would not result in significant cumulative impacts. Beneficial cumulative impacts may occur to environmentally sensitive resources if more successive projects of the same type in the same place occur. There are no significant incremental or measurable cumulative impacts associated with the proposed property acquisition and dedication of easement. Therefore, this exception 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 unusual circumstances associated with the proposed acquisition where there is a reasonable possibility that the acquisition would have a significant effect on the environment. A conservation easement to protect the natural habitat onsite will be recorded with the land and conveyed to the County, the California Coastal Conservancy and the California Natural Resources Agency. Therefore, this exception 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.**

This project will not result in any damage to scenic highways. Therefore, this exception 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.**

The project is not located on sites included on any list compiled pursuant to Section 65962.5 of the Government Code. Therefore, 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 project would not result in any substantial adverse change in the significance of a historical resource.

Lead Agency Contact Person: Kathy Pfeifer Phone #: 568-2507

Department/Division Representative:  Date: January 11, 2016

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

distribution: Hearing Support Staff

Project file (when P&D permit is required)  
Date Filed by County Clerk: \_\_\_\_\_