

Attachment 2
CEQA Notice of Exemption

NOTICE OF CEQA EXEMPTION

TO: Clerk of the Board of Supervisors

FROM: General Services Department/Real Estate Services 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) 037-192-001

Case No. Real Property File No. 004018

LOCATION: 315 W. Haley St., City of Santa Barbara, County of Santa Barbara, State of California

PROJECT TITLE: Exclusive Negotiations Agreement for County's Acquisition of Real Property at 315 W. Haley Street in the City of Santa Barbara (RP Folio No. 004018); District 1

PROJECT DESCRIPTION: The Exclusive Negotiations Agreement allows the County to apply for State of California Department of Housing & Community Development competitive grant funding through the Behavioral Health Continuum Infrastructure Program (BHCIP). The agreement provides a general framework for the subsequent good faith negotiations of a purchase agreement and is not intended to commit either the County or property owner (PathPoint) to any particular course of action.

EXEMPT STATUS: (Check One)

Ministerial

Statutory

Exemption

Emergency Project

No Possibility of Significant Effect

Other [Section 15004(b)(4)]

Section 15004(b)(4) – While mere interest in, or inclination to support, a project does not constitute approval, a public agency entering into preliminary agreements regarding a project prior to approval shall not, as a practical matter, commit the agency to the project. For example, an agency shall not grant any vested development entitlements prior to compliance with CEQA. Further, any such pre-approval agreement should, for example:

- (A) Condition the agreement on compliance with CEQA;
- (B) Not bind any party, or commit to any definite course of action, prior to CEQA compliance;
- (C) Not restrict the lead agency from considering any feasible mitigation measures and alternatives, including the “no project” alternative; and
- (D) Not restrict the lead agency from denying the project.

Reasons to support exemption findings:

Approval of the Exclusive Negotiations Agreement does not result in direct physical impacts to the environment. If the negotiation proceeds to an acquisition agreement, it may be subject to environmental review under CEQA by the applicant for possible impacts. The Exclusive Negotiations Agreement consists only of a preliminary agreement that: conditions any further agreement on compliance with CEQA; does not bind any party or commit the County to any definite course of action prior to CEQA compliance; does not restrict the County or any lead or responsible agency from considering any feasible mitigation measures and alternatives, including the “no project” alternative; and does not restrict the County or any lead or responsible agency from denying the project.

Lead Agency Contact and Department/Division Representative: Susan Freebourn (805) 266-4176

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Signature: Susan Freebourn
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Date: 3/22/2022 | 8:59 AM PDT

DATE FILED WITH CLERK OF THE BOARD