

NOTICE OF EXEMPTION

TO: Santa Barbara County Clerk of the Board of Supervisors

FROM: Santa Barbara County Public Works, 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: Portions of 081-100-005, 081-150-026, and 081-150-032 **Case No.:** N/A

Location: Baron Ranch (14550 Calle Real, Goleta, CA 93117) and Tajiguas Landfill (14470 Calle Real, Goleta CA 93117)

Project Title: Tajiguas Landfill and ReSource Center Habitat Conservation Plan (HCP) Conservation Easement

Project Applicant: Santa Barbara County Public Works, Resource Recovery and Waste Management (RRWMD)

Project Description: Approval and recordation of a Conservation Easement on 109.75 acres encompassing portions of the County-owned Baron Ranch and Tajiguas Landfill properties. The Conservation Easement is compensatory mitigation associated with a HCP prepared for construction, operation and maintenance of the Tajiguas Landfill and ReSource Center in association with issuance of an Incidental Take Permit under Section 10 of the Federal Endangered Species Act for California red-legged frog (a threaten species) and Southwestern pond turtle (proposed for listing). The Conservation Easement permanently protects aquatic and upland habit, designated by the US Fish and Wildlife Service as California red-legged frog critical habit (Critical Habitat Unit STB-6). The Conservation Easement would be granted to the Santa Barbara Land Trust an approved conservation organization.

Name of Public Agency Approving Project: Santa Barbara County

Name of Person or Entity Carrying Out Project: Santa Barbara County Public Works, RRWMD

Exempt Status:

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

Cite specific CEQA and/or CEQA Guidelines Section: CEQA Guidelines Sections 15313 (acquisition of lands for fish and wildlife conservation purposes) and 15317 (open space contracts or easements).

Reasons to support exemption findings: CEQA Guidelines Section 15313 (Class 13 exemption) consists of the 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 Guidelines Section 15317 (Class 17 exemption) consists of the acceptance of easements or fee interests in order to maintain the open space character of the area.

Consistent with these exemptions, the proposed project involves the permanent protection and conservation of open space land for wildlife species (California red-legged frog and southwestern pond turtle) listed and proposed for listing under the Federal Endangered Species Act. The area proposed for conservation consists of areas vegetated with native riparian and upland plant communities containing both aquatic and upland habitat necessary for the survival of the California red-legged frog and southwestern pond turtle. The Conservation Easement Area is within the USFWS designated Critical Habitat Unit STB-6. The easement would restrict future development that is incompatible with habitat preservation and would preserve the land in its natural condition. Therefore, the project can be determined to be categorically exempt from CEQA.

The proposed project does not involve 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.**

The project falls within a Class 13 and 17 exemption; therefore, this exclusion 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.**

Approximately 32 acres of the Baron Ranch including the Arroyo Quemado riparian corridor and adjacent upland areas have been placed in a restrictive covenant to also protect existing native and restored habitat. Cumulatively, the additional protection

provided by the proposed Conservation Easement would be beneficial to wildlife and habitat conservation. Therefore, this exclusion 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.**

The purpose of the easement is to permanently protect areas on the Baron Ranch as habitat for California red-legged frog and southwestern pond turtle. Therefore, there is no possibility of significant effect due to unusual circumstances and the exclusion 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.**

The purpose of the easement is to permanently protect areas on the Baron Ranch as habitat for California red-legged frog and southwestern pond turtle. The project preserves native habitats and geologic features. Therefore, there would be no impact to scenic resources or historic building and the exclusion 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.**

Neither the Baron Ranch or the Tajiguas Landfill are listed as hazardous waste sites. The Tajiguas Landfill is a class III municipal solid waste facility, but the area proposed for inclusion in the conservation easement is outside of the waste footprint and operational area of the landfill. Therefore, this exemption 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 purpose of the easement is to permanently protect areas on the Baron Ranch as habitat for California red-legged frog and southwestern pond turtle. The protection of the conservation easement area as open space would also protect any historical resources if present. Therefore, this exemption does not apply.

Lead Agency Contact Person: Joddi Leipner

Phone #: 805-882-3614
Environmental Planner

Department/Division Representative:  Joddi Leipner, Sr. Eng.

Date: February 22, 2023

Acceptance Date: _____

Date Filed by County Clerk: _____