

ATTACHMENT 4
ENVIRONMENTAL REVIEW

NOTICE OF EXEMPTION

TO: Santa Barbara County Clerk of the Board of Supervisors

FROM: Florence Trotter-Cadena, Planner

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.

APNs: 079-030-019, and -020

Case No.: 14AGP-00000-00013

Location: located approximately 1,500 feet southwest of the intersection of Live Oak Road and Highway 154, in the Santa Ynez area, Third Supervisorial District.

Project Title: Serena San Marcos, LLC Agricultural Preserve

Project Applicant: Paul and Serena Kusserow

Project Description: New Agricultural Preserve Contract

Name of Public Agency Approving Project: Santa Barbara County

Name of Person or Agency Carrying Out Project: Paul and Serena Kusserow

Exempt Status: (Check one)

- ☐ Ministerial
- ☐ Statutory
- ☐ No Possibility of Significant Effect [§15061(b,3)]
- ☐ Emergency Project
- ☒ XX Categorical Exemption (§15317)

Cite specific CEQA Guideline Section: 15317, [Establishment of an Agricultural Preserve]

This section exempts the establishment of agricultural preserves under the Williamson Act. The creation of an Agricultural Preserve will not cause a significant environmental impact to the surrounding area. The 103.80 acre property is currently planted with seven acres of Olive trees, vineyards, and lavender. Although the owners have cleared an additional 20 acres for planting of olive trees and lavender, the owners have deferred planting the additional acreage due to the severe drought. The site is also leased to a local bee keeper. The project will not result in the loss of any existing native vegetation, will not require extensive grading or land alteration, nor will it impact any biological, archaeological or other sensitive environmental resources.

There is no substantial evidence that the proposed project involves 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.

Exception (a) does not apply since this is a Class 17 exemption.

- (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 the placement of property into the Williamson Act Program (Agricultural Preserve). Upon approval of the Agricultural Preserve contract the parcel size would remain unchanged. It would not result in an increase in development potential. It would not result in an increase in subdivision potential. The parcel would continue their current agricultural operations. The cumulative impact of successive projects of this type in the same place, over time, would not be significant.

- (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 surrounding the proposed project and there is not a reasonable possibility that the project would have a significant effect on the environment due to unusual circumstances.

- (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 proposed project does not include any physical development and would not be visible from a designated scenic highway. The project would not result in damage to scenic resources, including but not limited to, trees, historic buildings, or rock outcroppings.

- (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 a site which is included on any list compiled pursuant to Section 65962.5 of the Government Code.

- (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.

No construction, demolition or development is proposed as a part of the project and the project would not result in any substantial adverse change in the significance of a historical resource.

Lead Agency Contact Person: Florence Trotter-Cadena

Phone #: 934-6253

Department/Division Representative: _____ Date: _____

Acceptance Date: _____

Note: A copy of this form must be posted at P&D 6 days prior to a decision on the project. Upon project approval, this form must be filed with the County Clerk of the Board and posted by the Clerk of the Board for a period of 30 days to begin a 35 day statute of limitations on legal challenges.

Distribution: Hearing Support Staff
 Project file (when P&D permit is required)

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