



# NOTICE OF EXEMPTION

SAN LUIS OBISPO COUNTY DEPARTMENT OF PLANNING AND BUILDING  
 976 OSOS STREET • ROOM 200 • SAN LUIS OBISPO • CALIFORNIA 93408 • (805)781-5600

**Project Title and No.:** Extension of Agricultural Ponds Interim Zoning/Urgency Ordinance/ ED16-024

<b>Project Location (Specific address [use APN or description when no situs available]):</b> County of San Luis Obispo – Unincorporated area	<b>Project Applicant/Phone No./Email:</b> County San Luis Obispo/(805)781-5198/asingewald@co.slo.ca.us <b>Applicant Address (Street, City, State, Zip):</b> 976 Osos Street Room 300, SLO, CA 93408
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### Description of Nature, Purpose and Beneficiaries of Project

An extension of the Agricultural Ponds Interim Zoning / Urgency Ordinance No. 3326 pursuant to Sections 25123 and 65858 of the California Government Code for a period of up to 22 months and 15 days. Ordinance No. 3326 prohibits the approval of new agricultural ponds and reservoirs in the inland area (does not include the Coastal Zone) of the unincorporated County under the Alternative Review Program and establishes application content and review criteria for agricultural ponds and reservoirs.

**Name of Public Agency Approving Project:** County of San Luis Obispo

### Exempt Status: (Check One)

- |                                     |                        |                                    |
|-------------------------------------|------------------------|------------------------------------|
| <input type="checkbox"/>            | Ministerial            | {Sec. 21080(b)(1); 15268}          |
| <input type="checkbox"/>            | Declared Emergency     | {Sec. 21080(b)(3); 15269(a)}       |
| <input type="checkbox"/>            | Emergency Project      | {Sec. 21080(b)(4); 15269(b)(c)}    |
| <input checked="" type="checkbox"/> | Categorical Exemption  | {Sec. 15307; 15308 ; Class: 7, 8 } |
| <input type="checkbox"/>            | Statutory Exemption    | {Sec. _____}                       |
| <input checked="" type="checkbox"/> | General Rule Exemption | {Sec. 15061(b)(3)}                 |

**Reasons why project is exempt:** This Ordinance is necessary to preserve groundwater resources. The approval of new agricultural ponds and reservoirs in the unincorporated county would threaten the public health, safety, and welfare by exacerbating declining groundwater levels and contributing to the failure of additional residential and agricultural wells. This urgency and interim zoning ordinance will allow County staff time to complete necessary studies and reports to analyze and address water supply and other environmental impacts of agricultural ponds and reservoirs while preserving groundwater resources.

This Ordinance is exempt from the California Environmental Quality Act (Public Resources Code §2100, et seq.) ("CEQA") because:

1. Per CEQA Guidelines §15061(b)(3) – The interim zoning/urgency ordinance is not subject to CEQA due to the general rule that an action is not subject to CEQA where it can be seen with certainty that there is no possibility that it will have a significant effect on the environment. The ordinance provides for regulations to protect environmental resources, including groundwater supplies, and thus will not have a significant adverse effect on the environment.
2. Per CEQA Guidelines §15307 (Class 7) – The interim zoning/urgency ordinance consists of regulations and restrictions on activities to assure the maintenance, restoration, or enhancement of county water supplies, a natural resource.
3. Per CEQA Guidelines §15308 (Class 8) – The interim zoning/urgency ordinance consists of regulations and restrictions on activities to assure the maintenance, restoration, or

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enhancement of the environment, including the county's groundwater supplies and all of the people, species, and environs that rely on that resource.

Airlin Singewald (asingewald@co.slo.ca.us)

(805) 781-5198

**Lead Agency Contact Person**

**Telephone**

**If filed by applicant:**  
1. Attach certified document of exemption finding  
2. Has a notice of exemption been filed by the public agency approving the project? Yes  No

Signature *Airlin M. Singewald* Date 8/3/2016  
Name (Print) Airlin M. Singewald Title Senior Planner

On \_\_\_\_\_ the project was Approved by:

- Board of Supervisors       Subdivision Review Board       Other \_\_\_\_\_  
 Planning Commission       Planning Dept Hearing Officer