NOTICE OF EXEMPTION

TO: County Clerk FROM: Ojai Valley Sanitary District

County of Ventura 1072 Tico Road

800 S. Victoria Avenue Ojai CA 93023

Ventura CA 93009

**Project Title:** Ojai Valley Sanitary District’s Exercise of the Power of Eminent Domain to Acquire Real Property for Securing Long-Term Ingress & Egress to and from its Wastewater Treatment Plant

**Project Location – Specific:** 14,405 square foot piece of real property located on portions of two non-contiguous sections of real property located just south/southwest of Ventura Avenue, north of Canada Larga Road, adjacent to the City of San Buenaventura’s Water Purification Plant, in the unincorporated area of Ventura County, identified as Assessor’s Identification Nos. 063-0-030-060 & 063-0-030-135

**Project Location – City:** Unincorporated area of Ventura County

**Project Location – County:** Ventura

**Description of Project:** Acquisition of real property for securing permanent access and long-term ingress & egress to & from the Ojai Valley Sanitary District Wastewater Treatment Plant to ensure public health and safety, maintain adequate and regulatory compliant waste water treatment operations, and promote environmental health of local water resources

# Name of Public Agency Approving Project: Ojai Valley Sanitary District

# Name of Person or Agency Carrying Out Project: Ojai Valley Sanitary District

**Exempt Status:** (check one)

* Ministerial (Sec 21080 (b) (1); 15268)
* Declared emergency (Sec. 21080b) (b) (3); 15269 (a))
* Emergency Project (Sec. 21080 (b) (4); 15269 (b) (c)

**X** Categorical Exemption. State type and section no. CEQA Guidelines Sections 15301 (Class

1); 15304 (Class 4); 15311 (Class 11).

* Statutory Exemptions. State code number:

Reasons why project is exempt: CEQA Guidelines Section 15301 (Class 1 categorical exemption for “existing facilities”) applies to this project because:

1. The District has for many years used, and currently utilizes the property in question for ingress and egress to the Ojai Valley Sanitary District Wastewater Treatment Plant, an existing wastewater treatment facility located adjacent to the real property in question. The acquisition of the real property will not result in an expansion of the existing use. The District is only seeking to acquire the property to secure permanent access to the Wastewater Treatment Plant and will continue to use the real property for ingress and egress to the facility.
2. The Project is also an effort by the District to ensure proper maintenance of the Access Road on the Property, including the District’s ability to properly maintain the existing landscaping and native growth to prevent fire hazards and spread of invasive species. Currently, the District does not have the authority to conduct vegetation management or other routine maintenance activities along the Access Road. Securing the Property in fee simple will allow the District to effectively manage the landscaping and native growth along the Property and adjacent to the WTP to minimize any potential fire hazards.

CEQA Guidelines Section 15304 (Class 4 categorical exemption for “minor public or private alterations in the condition of land, water, and/or vegetation which do not involve removal of healthy, mature, scenic trees, and/or vegetation except for forestry and agricultural purposes”) applies to this project because the District’s acquisition of the Property may require the District to exercise a greater degree of maintenance and upkeep on the Access Road. Therefore, some road maintenance activities may become necessary such as backfilling and trenching. The District may also seek to reduce potential fire hazards along the side of the Access Road by engaging in some level of vegetation management.

CEQA Guidelines Section 15311 (Class 11 categorical exemption for “accessory structures”) applies to the project because the Access Road is similar in character to a “small parking lot” because the Access Road is often used to park and stage vehicles. If construction of a small parking lot is considered a negligible activity under the CEQA Guidelines and warrants an exemption, the District’s acquisition of a pre-existing facility like the Access Road falls within the exemption because the acquisition of the Property does not require or involve any construction activities to construct a novel minor accessory structure.

Furthermore, the exceptions for a Categorical Exemption, as provided in CEQA Guidelines Section 15300.2 are not applicable to this project. The project will not have a cumulative impact resulting in a significant effect as there will not be “successive projects of the same type and same place over time” at the specific Project Location. CEQA Guidelines § 15300.2(b). Nor will the District’s acquisition of the property result in a change or expansion of the current use of the property. Therefore, there is no potential for the acquisition of the Property to create or cause a significant impact to the Ventura River because the use of the Property will remain constant and unchanged. Additionally, the acquisition of the property will not result in a significant effect on the environment due to unusual circumstances as the property will be used for the continued ingress and egress to an existing public facility for the operation and maintenance of that facility. Therefore, none of the exceptions to a categorical exemption listed in CEQA Guidelines Section 15300.2 apply.

**Lead Agency Contact Person:** **Phone:** (805) 646-5548

**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:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Date: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_Title: Administrative Officer