

# Notice of Exemption

**To:**

Office of Planning and Research  
P.O. Box 3044  
Sacramento, CA 95812-3044

County Clerk  
County of: Los Angeles, Business Filings  
12400 E. Imperial Hwy., #1201  
Norwalk, CA 90650

**From:**

Public Agency: LA County Regional Planning  
320 W. Temple Street, 13<sup>th</sup> Floor  
Los Angeles, CA 90012

Project Title: Santa Monica Mountains Habitat Impact Fee Update

Project Applicant: Los Angeles County Department of Regional Planning

Project Location - Specific:  
Santa Monica Mountains North Area and Coastal Zone

Project Location - City: \_\_\_\_\_ Project Location - County: Los Angeles

Description of Nature, Purpose and Beneficiaries of Project:  
The Project amends the Santa Monica Mountains Local Coastal Program ("LCP") and Title 22 (Planning and Zoning) of the Los Angeles County Code. The LCP mandates that the existing Habitat Impact Fee be updated within five years of certification of the LCP. The Project fulfills that mandate. The Project also amends Santa Monica Mountains North Area Community Standards District, which has a reserved section for the Fee.

Name of Public Agency Approving Project: Los Angeles County and California Coastal Commission

Name of Person or Agency Carrying Out Project: Los Angeles County Department of Regional Planning

Exempt Status: **(check one):**

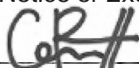
- Ministerial (Sec. 21080(b)(1); 15268);
  - Declared Emergency (Sec. 21080(b)(3); 15269(a));
  - Emergency Project (Sec. 21080(b)(4); 15269(b)(c));
  - Categorical Exemption. State type and section number: Section 15378(b)(4)
  - Statutory Exemption. State code number: Section 15265
  - Exemptions for Agricultural Housing, Affordable Housing, and Residential Infill Projects. State type and section number: \_\_\_\_\_
- Others: \_\_\_\_\_

Reasons why project is exempt:  
The Project is more protective of natural resources than the existing County Code and results in no foreseeable impacts to the environment therefore qualifies for the 'common-sense' exemption 15061(b) (3). Section 15265 shifts the burden of CEQA compliance from the local government, in this case Los Angeles County, to the California Coastal Commission. This Project updates the existing fee and does not specify any commitment to fund any specific project that could result in any impacts to the environment.

Lead Agency Contact Person: Cameron Robertson Area Code/Telephone/Extension: (213) 974-6461

**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: 03/19/2023 Title: Senior Regional Planner

Signed by Lead Agency

Signed by Applicant

Date Received for filing at OPR: \_\_\_\_\_

## **ATTACHMENT TO NOTICE OF EXEMPTION**

### **LOS ANGELES COUNTY**

### **HABITAT IMPACT FEE UPDATE**

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**Protect Title:** Santa Monica Mountains Habitat Impact Fee Update

**Project Applicant:** Los Angeles County Department of Regional Planning

**Project Location:** Unincorporated Los Angeles County.

**Description:** The Santa Monica Mountains Habitat Impact Fee Update (“Project”), amends the Santa Monica Mountains Local Coastal Program (“LCP”) and Title 22 (Planning and Zoning) of the Los Angeles County Code. The LCP mandates that the existing Habitat Impact Fee (“Existing Fee”) be updated within five years of certification of the LCP. The Project proposes an updated Habitat Impact Fee (“Updated Fee”) and fulfills that mandate.

The Project amends the two components of the LCP, the Santa Monica Mountains Land Use Plan and the Santa Monica Mountains Local Implementation Plan in Title 22, to replace the Existing Fee with the Updated Fee. The Project also amends Santa Monica Mountains North Area Community Standards District (“SMMNA CSD”), which has a reserved section for the Updated Fee.

#### **Exemptions:**

CEQA Guidelines Section 15061(b)(3)

CEQA Guidelines Section 15265

CEQA Guidelines Section 15378(b)(4)

#### **Reasons why the project is exempt:**

Staff recommends that this project is exempt pursuant to California Environmental Quality Act (“CEQA”) Guidelines Sections 15061(b)(3), 15265, and 15378(b)(4). The project is covered by the ‘common-sense’ exemption that CEQA does not apply to projects which do not have the potential for causing a significant effect on the environment; that CEQA compliance is shifted from the local agency to the California Coastal Commission for local coastal programs; and that CEQA does not apply to funding and fiscal activities which do not involve commitment to projects that have potentially significant environmental impact and therefore do not qualify as a ‘project.’

The Project does not trigger or prompt the construction or alteration of facilities nor does it alter the intended uses and intensities planned for at any location already contemplated by the General Plan, its component Area or Community Plans, Specific Plans, or Title 22 of the Los Angeles County Code. No construction activities are proposed or authorized by this project.

#### **CEQA Guidelines Section 15061(b)(3) – Review for Exemption**

*A project is exempt from CEQA if the activity is covered by the common-sense exemption that CEQA applies only to projects, which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA.*

This Project updates the existing in-lieu fee in the current LCP, and implements the Updated Fee in the SMMNA CSD in the reserved code section. The Project is more protective of natural resources than the existing County Code and no construction activities are proposed or authorized by this project. The Project results in no foreseeable impacts to the environment therefore qualifies for the 'common-sense' exemption.

**CEQA Guidelines Section 15265 – Adoption of Coastal Plans and Programs**

*CEQA does not apply to activities and approvals pursuant to the California Coastal Act (commencing with Section 30000 of the Public Resources Code) by [any] local government, as defined in Section 30109 of the Public Resources Code, necessary for the preparation and adoption of a local coastal program.*

The section shifts the burden of CEQA compliance from the local government, in this case Los Angeles County, to the California Coastal Commission. The Coastal Commission's program of certifying local coastal programs and long-range land use development plans has been verified under Section 21080.5, Public Resources Code.

**CEQA Guidelines 15378(b)(4) - Project**

*A project does not include the creation of government funding mechanisms or other government fiscal activities which do not involve any commitment to any specific project which may result in a potentially significant physical impact on the environment.*

This Project updates the existing in-lieu fee level for mitigation of habitat impacts and does not specify any commitment to fund any specific project that could result in any impacts to the environment. The Project therefore does not qualify as a 'project' under CEQA.