

Notice of Exemption

Appendix E

To: Office of Planning and Research

From: (Public Agency): Santa Clara County Local Agency Formation Commission

P.O. Box 3044, Room 113
Sacramento, CA 95812-3044

777 North First Street, Suite 410

County Clerk

San Jose, CA 95112

County of: Santa Clara

(Address)

Project Title: Comprehensive Review and Update of LAFCO Policies - Phase 1

Project Applicant: Santa Clara County Local Agency Formation Commission

Project Location - Specific:

Santa Clara County (Countywide)

Project Location - City: _____ Project Location - County: Santa Clara

Description of Nature, Purpose and Beneficiaries of Project:

The first phase of the Comprehensive Review and Update of LAFCO Policies focused on reviewing and updating, as necessary, the key policies that apply to processing typical LAFCO applications. Phase 1 includes seven chapters, specifically: Sphere of Influence (SOI) Policies (Chapter 2), Urban Service Area (USA) Policies (Chapter 3), Annexation, Detachment, and Reorganization Policies (Chapter 4), Out-of-Agency Service by Contract (OASC) Policies (Chapter 5), Island Annexation Policies (Chapter 6), Agricultural Land Preservation and Mitigation Policies (Chapter 7), and Urban Growth Boundaries Policies (Chapter 8). Also includes rescinding the existing Boundary Agreement Lines Policies and the Policies for Gilroy Agricultural Lands, as they are both no longer applicable.

These key policies will be used by Santa Clara LAFCO (Commissioners and Staff) in reviewing LAFCO applications, by affected local agencies in preparing their applications for submittal to LAFCO, by landowners/registered voters in assisting in the preparing or in the preparing/submitting of LAFCO applications, and by the public in understanding LAFCO requirements and processes.

Name of Public Agency Approving Project: Santa Clara County Local Agency Formation Commission

Name of Person or Agency Carrying Out Project: Santa Clara County Local Agency Formation Commission

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: _____
- Statutory Exemptions. State code number: 15060(c)(2) and 15060(c)(3)

Reasons why project is exempt:

The purpose of the comprehensive review and update of the current LAFCO policies is to better enable LAFCO to meet its legislative mandate, make the policies consistent with recent changes to LAFCO law, better document current/historic practices, and provide ease of use and better guidance to affected agencies, public, and potential applicants; and increase clarity and transparency of LAFCO's policies and expectations.

The proposed Phase 1 LAFCO policy revisions include changes to the overall organization and structure of the current LAFCO policies; removal of incorrect and/or expired references to State law and inclusion of new references to relevant code sections of State law; text changes to reflect changes in State law or to provide background information.

The approval of the proposed revisions to Santa Clara LAFCO Policies – Phase 1 is not subject to the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines, California Code of Regulations, Title 14, Chapter 3 Section 15060(c)(2) (the activity will not result in a direct or reasonably foreseeable indirect physical change in the environment) and, Section 15060(c)(3) (the activity is not a project as defined in Section 15378) because the proposed revisions to Santa Clara LAFCO policies reflect existing provisions of the Government Code that are already State law, existing policies of LAFCO that are already under implementation, historic or current Santa Clara LAFCO practice, or are entirely procedural (non-substantive) in nature.

Lead Agency Dunia Noel 408-993-4704
Contact Person: _____ Area Code/Telephone/Extension: _____

If filed by applicant:

- 1. Attach certified document of exemption finding.
- 2. Has a DocuSigned by: _____ ion been filed by the public agency approving the project? Yes No

Signature: *Dunia Noel* Date: 12/16/2024 Title: Senior LAFCO Analyst
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▪ Signed by Lead Agency Signed by Applicant

Authority cited: Sections 21083 and 21110, Public Resources Code. Date Received for filing at OPR: _____
Reference: Sections 21108, 21152, and 21152.1, Public Resources Code.