

Notice of Exemption

To: Office of Planning and Research
P.O. Box 3044, Room 113
Sacramento, CA 95812-3044

County Clerk **[Note: you may remove the County Clerk information if not applicable]**

County of Ventura
800 S. Victoria Avenue, #1640
Ventura, CA 93009

From: Ventura County Watershed Protection District
800 S. Victoria Avenue, #1600
Ventura, CA 93009

Project Title: Flowage Easement Replacement and Release

Project Applicant: Ventura County Watershed Protection District, County of Ventura

Project Location - Specific: APN 662-0-010-030

Project Location - City: Thousand Oaks Project Location - County: Ventura

Description of Nature, Purpose, and Beneficiaries of Project:

Ventura County Watershed Protection District (District) has a flowage easement ("Existing Easement") encumbering an approximately 37-acre unimproved parcel of real property, Assessor's Parcel Number 662-0-010-030, located in the City of Thousand Oaks, California ("Property"), owned by Mason Partners LLC, a California limited liability company. The Existing Easement is no longer needed by the District for flood control purposes because it will be replaced by a replacement flowage easement ("Replacement Easement"). The Replacement Easement will continue to allow the District and County of Ventura ("County") to prohibit construction and improvements on the Property and to periodically inundate the Property with storm and flood waters. The Replacement Easement, unlike the Existing Easement, would also include specific conditions that must be satisfied to trigger the potential future release of the Replacement Easement by the District. Upon satisfaction of the Replacement Easement's detailed release conditions, the District and County would have no flood control-related need for a flowage easement encumbering the property because all flood control and hydrological issues and potential impacts affecting the Property and surrounding area will have been analyzed and addressed through alternative infrastructure and stormwater management facilities and programs provided by the owner pursuant to these release conditions.

Name of Public Agency Approving Project: Ventura County Board of Supervisors

Name of Person or Agency Carrying Out Project: County of Ventura and Ventura County Watershed Protection District

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: 15061(b)(3)

Reasons why project is exempt:

Replacing the Existing Easement with the Replacement Easement would not constitute a "project" that is subject to the California Environmental Quality Act (CEQA) or, in the alternative, would be statutorily exempt from CEQA review. CEQA only applies to discretionary "projects." CEQA, at Public Resources Code section 21065, defines "project" as "an activity which may cause either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment..." The District's and County's actions to replace the Existing Easement with the Replacement Easement are not a "project" because they would not result in any direct or reasonably foreseeable indirect physical change to the environment. The District's and County's actions also qualify for CEQA's common-sense statutory exemption pursuant to CEQA Guidelines section 15061(b)(3) because it can be seen with certainty that there is no possibility that the actions may have a significant effect on the environment.

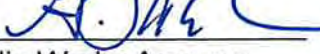
Lead Agency Contact Person: Jeff Palmer

Phone number: (805) 654-2040

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: January 15, 2025 Title: Director, Ventura County Public Works Agency

Signed by Lead Agency Signed by Applicant

Date Received for filing at OPR: _____

Authority cited: Sections 21083 and 21110, Public Resources Code.

Reference: Sections 21108, 21152, and 21152.1, Public Resources Code.