

FILED

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STANISLAUS CO. CLERK-RECORDER

JENNIFER MERCADO

CEQA NOTICE OF EXEMPTION

TO: County Clerk-Recorder
Stanislaus County
1021 "I" Street
Modesto, CA 95354

FROM: Stanislaus LAFCO
1010 Tenth Street, 3rd Floor
Modesto, CA 95354
(209) 525-7660

TITLE: STANISLAUS LOCAL AGENCY FORMATION COMMISSION AMENDMENT TO POLICY 22 - AGRICULTURAL PRESERVATION POLICY

DESCRIPTION: Stanislaus LAFCO will consider an amendment to its existing Agricultural Preservation Policy (Policy 22 of the Commission's Policies and Procedures) regarding the timing of in-lieu fee collection if being used as an agricultural preservation strategy. The current Policy states fees are to be collected "before the issuance of a grading permit, building permit, or final map approval, whichever comes first" (emphasis added). The amendment would remove the "whichever comes first" constraint and add a plural option to recognize the in-lieu fee may be spread over multiple building permits. The proposed amendment is being made in accordance with the Cortese-Knox-Hertzberg Act (Government Code Section 56000 et. seq.), which requires LAFCOs to consider the effects that a proposal may have on agricultural lands (Government Code Sections 56425 and 56668(e)).

LOCATION: Countywide

PUBLIC AGENCY APPROVING PROJECT: Stanislaus Local Agency Formation Commission

CONTACT PERSON: Sara Lytle-Pinhey, Executive Officer, (209) 525-7660

ENVIRONMENTAL DETERMINATION: In this case, it has been determined with certainty that there is no possibility that the policy amendment may have a significant effect on the environment and therefore it is found to be exempt from CEQA pursuant to Section 15061(b)(3) of the State Guidelines. The Local Agency Formation Commission will file this Notice of Exemption upon approval of the policy amendment.

REASONS FOR EXEMPTION: LAFCO approval of such policies is encouraged under Government Code 56000 et seq. The policy amendment does not involve, authorize, or permit the construction of any facilities associated with any property. The policy amendment is minor in nature and serves to clarify the timing of collection of an in-lieu fee when used as an agricultural preservation strategy. It also allows for collection of an in-lieu fee to be spread over multiple building permits. Approval of this policy amendment has no possibility of affecting the environment directly or indirectly as LAFCO is not proposing the approval of any application or engaging in any activity. The Cortese-Knox-Hertzberg Act calls for LAFCO to discourage urban sprawl, preserve open space and prime agricultural lands, promote the efficient provision of government services and encourage the orderly formation of local agencies. The Act also requires LAFCOs to establish written policies and procedures to exercise its powers consistent with its purpose. The policy amendment is consistent with the intent of the Act.

Signature: 
Name & Title: Sara Lytle-Pinhey, Executive Officer

Date: 3/28/19

Date removed from posting 5/10/19