



## NOTICE OF EXEMPTION

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

Orange County Clerk-Recorder  
County Administration South  
Attn: Recorder Operations  
601 N. Ross Street  
Santa Ana, CA 92701

**From:** Engineering & Environmental Services Dept  
32400 Paseo Adelanto  
San Juan Capistrano, California 92675  
Contact: Taig Higgins  
Phone: (949) 443-6336

**PROJECT TITLE:** Storm Drain Easement Vacation

**PROJECT APPLICANT:** St. Margaret's Episcopal School

**ADDRESS:** 31641 La Novia Avenue, San Juan Capistrano, CA 92675 (APNs 666-251-05 & 666-261-03)

**PROJECT LOCATION – CITY:** San Juan Capistrano

**PROJECT LOCATION – COUNTY:** Orange County

**DESCRIPTION OF NATURE, PURPOSE, AND BENEFICIARIES OF PROJECT:**

Vacate a portion of public storm drain easement. Easement does not serve public purposes. St. Margaret's Episcopal School and the City of San Juan Capistrano are beneficiaries of the project.

**NAME OF PUBLIC AGENCY APPROVING PROJECT:** City of San Juan Capistrano

**NAME OF PERSON OR AGENCY CARRYING OUT PROJECT:** Taig Higgins, City of San Juan Capistrano

**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: 15301 (Class 1-Existing Facilities) and 15305 Class 5 -Minor Alterations in Land Use Limitations)
- Statutory Exemptions. State code number: 15061(b)(3)

**REASONS WHY PROJECT IS EXEMPT:**

Class 1 applies to "minor alterations of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of existing or former use." This exemption applies because the storm drain infrastructure within the easement already exists, will remain in place without modification, and, following the vacation, will be privately owned and maintained by SMES. No new construction, grading, or expansion of use would occur as a result of the easement vacation, and the project would not impact current zoning or land use.

Class 5 applies to "minor alterations in land use limitations in areas with an average slope of less than 20 percent, which do not result in any changes in land use or density." The proposed vacation of the City's storm drain easement constitutes a minor alteration in land use limitations, as it removes a public encumbrance over private property that no longer serves a public purpose. The site is developed, urbanized, and generally flat, with no change in land use or zoning proposed or required.

None of the exceptions to the use of a categorical exemption identified in CEQA Guidelines Section 15300.2 apply. The storm drain easement is not located in a particularly sensitive environment, will not result in cumulative impacts, does not involve unusual circumstances, is not located along a designated state scenic highway, is not included on any list of hazardous waste sites compiled pursuant to Government Code Section 65962.5, and does not involve any historical resources.

Finally, the action separately qualifies for the common sense exemption under CEQA Guidelines Section 15061(b)(3), as it can be seen with certainty that there is no possibility that vacating an unused and nonfunctional public storm drain easement, where the underlying infrastructure will remain in use and be privately maintained, will result in a significant effect on the environment.

**LEAD AGENCY**

**CONTACT PERSON:** Taig Higgins

**TEL:** (949) 443-6336



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Laura Stokes, Environmental Administrator

July 29, 2025

Date