
CEQA Notice of Exemption Memorandum

Bodega Bay Public Utility District Sewer Rehabilitation Project

BODEGA BAY PUBLIC UTILITY DISTRICT

Date: November 2021



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1.0 PROJECT INFORMATION

1.1 Project Title

Bodega Bay Public Utility District Sewer Rehabilitation Project

1.2 Lead Agency Name and Address

Bodega Bay Public Utility District (BBPUD)
265 Doran Park Road
Bodega Bay, CA 94923

1.3 Contact Person and Email and Phone Number

Jenny Melman, P.E., Deputy District Engineer
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707-636-7016

1.4 Project Location

The Bodega Bay Public Utility District Sewer Rehabilitation Project (project) is located in the town of Bodega Bay, Sonoma County, California (Refer to Appendix A, Site Plan, Sheet 1). The project consists of various project site locations throughout the town of Bodega Bay given that the proposed project consists of sewer line rehabilitation within existing roadways. The project sites are located primarily on existing roadways within the public Right-of-Way (ROW), and the Highway 1 corridor through the town of Bodega Bay (Refer to Appendix A, Site Plan, Sheet 1).

1.5 Surrounding Land Use and Setting

Surrounding land uses include the town of Bodega Bay itself, which is comprised of residential, commercial, and recreational uses. Surrounding land uses are predominantly residential and include small residential neighborhoods along and around Highway 1 and Bodega Bay. Non-residential uses include recreational trails throughout the town of Bodega Bay, as well as a golf course to the south of Highway 1, shown on Site Plan Sheet 5 (Appendix A). The Pacific Ocean, which provides recreational beach access, is located to the south and southwest of the project sites. There are a variety of commercial uses along Highway 1/Shoreline Highway. Spud Point Marina is a commercial fishing location located on Westshore Road, shown on Site Plan 3 (Appendix A).

2.0 PROJECT DESCRIPTION

Project work involves the rehabilitation of 22,369 feet of existing sewer main (size for size). Most of the work will be completed using “trenchless” methods, either cured-in place pipe (CIPP) lining or pipe-bursting. CIPP will not involve excavation, and most of remaining sites that do involve excavation are in the public ROW.

Some of the sewer mains, such as Site Plan 10C (Appendix A) near Whaleship Road, that will be rehabilitated are below levels of high tide and can have constant inflow of ground water, making CIPP difficult in these conditions. In these cases, the pipe-bursting method will be applied, which will involve some excavation to dig a pit within which a new pipe is pulled. There would also be excavation at each lateral connection (these are typically small, ex: 4 by 4 feet.)

The proposed project would not increase the capacity of the water system, but rather rehabilitate the existing infrastructure system to adequately support the existing capacity.

All project components will be installed underground and no above-ground features such as: fences, walls, dams or roadways will be constructed. Therefore, conditions following the completion of the proposed project will be the same as they were prior to construction.

The construction staging area will be located entirely within the existing ROW. Minor maintenance would occur during the operation of the sewer lines, but would not entail any ground disturbing activities.

2.1 Project Background

BBPUD authorized Coastland Civil Engineering’s (Coastland) to complete a closed-circuit television video (CCTV) pipe inspection of all of BBPUD’s 15 miles of sewer mains to identify sources of inflow and infiltration into their sewer collection system, which are contributing to high winter flow rates at their wastewater treatment plant. This assessment found 14,850 linear feet of sewer main in poor condition and in need of rehabilitation. BBPUD has recently reauthorized Coastland the completion of up to 50 percent construction document submittal including 5,694 additional linear feet of sewer pipe. These additional pipe repairs are located within the Highway 1 corridor through the town of Bodega Bay.

The intent of the project is to eliminate as much wastewater inflow/infiltration as possible, and that no capacity increases are planned as part of the project. Pipe would be repaired and/or replaced (rehabilitated) in its current location, primarily on roadways within the public ROW. Therefore, this project is being prepared in accordance of a Class 1 and Class 2 Categorical Exemption pursuant to the California Environmental Quality Act (CEQA).

2.3 Proposed Construction

With the exception of two locations (Site Plan 10C and Site Plan 30 in Appendix A), the proposed sewer main rehabilitation would occur within existing roadways. The temporary equipment staging area would be confined to the existing ROW within the project area, on BBPUD-owned property. Temporary erosion

control best management practices would be implemented during construction for control of site erosion and silt resulting from temporary construction activity.

The proposed sewer line rehabilitation would occur by applying one of the following methods listed below depending on the location and condition of the sewer line:

1. Cured-in-Place Pipe (CIPP) Lining: CIPP lining is a completely trenchless method of rehabilitating pipe by installing a liner “sock” impregnated with resin into the existing pipe that is inflated with hot air and cured in place. Sewer lateral connections are reinstated by robotic equipment cutting holes in the new liner and installing a “top-hat” which seals the new lined sewer main to the sewer lateral. No excavation is required for this method of pipe rehabilitation. CIPP-lining can be conducted from manhole to manhole, or as a spot repair (small segment of pipe).
2. Pipe-bursting: Pipe bursting is a method of replacing sewer pipe with limited trenching requirements. Pipe-bursting involves pulling a bullet-shaped head through an existing pipe from manhole to manhole that splits or shatters the pipe and pressing it into the adjacent soil while pulling a new HDPE pipe behind it. Small excavations are required at each sewer service to reconnect laterals to the new sewer main. Excavations for entry or exist pits may also be needed, depending on sewer depth and other factors.
3. Open-cut Replacement: The traditional method of sewer replacement is to dig a trench along the sewer to remove and replace the existing pipe with a new pipe. The trench is typically 18 inches wider than the pipe diameter and the length of the sewer to be replaced. Sewers can be replaced by open-cut methods from manhole to manhole or as a “spot repair” which is to remove and replace a short section of defective pipe.

2.4 Construction Schedule

The construction schedule assumes that the project would be built out over a period of approximately seven months. Construction hours would occur Monday through Friday, 7 A.M. to 5 P.M. No work would occur on weekends or holidays. The site preparation, excavation, grading and sewer main removal and replacement, would take approximately 10 weeks. There is no construction phasing anticipated for the proposed project. There would be approximately eight to ten construction workers during the hours of construction. Rain could extend the construction schedule as the Contractor would not work during rain events.

2.5 Site Access and Grading

Construction vehicle access to the sites would be provided from Highway 1 and various other roadways throughout the project area. A temporary traffic control plan would be prepared by the Contractor and submitted to the County for approval. The sewer main rehabilitation work would include limited excavation and would import approximately 840 cubic yards of net fill, which equates to a total of 70 construction trucks. Full road closures would not be required. Traffic control for pipe rehabilitation work will be limited to lane closures which will maintain at least one-way traffic during construction hours, and two-way traffic during non-construction hours. The project requires that the Contractor maintain reasonable access to the site and all driveways during construction (Refer to Appendix A, Site Plan, Sheet 2)

2.6 Avoidance and Minimization Measures and Best Management Practices

The project would implement effective avoidance and minimization measures, as well as applicable best management practices, including:

Basic Construction Measures

For all proposed projects, the Bay Area Air Quality Management District (BAAQMD) recommends implementing the following measures listed below to meet the best management practices threshold for fugitive dust:

1. All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered two times daily.
2. All haul trucks transporting soil, sand, or other loose material off-site shall be covered.
3. All visible mud or dirt track-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited.
4. All vehicle speeds on unpaved roads shall be limited to 15 miles per hour (mph).
5. All roadways, driveways, and sidewalks to be paved shall be completed as soon as possible. Building pads shall be laid as soon as possible after grading unless seeding or soil binders are used.
6. Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to 5 minutes (as required by the California airborne toxics control measure Title 13, Section 2485 of California Code of Regulations [CCR]). Clear signage shall be provided for construction workers at all access points.
7. All construction equipment shall be maintained and properly tuned in accordance with manufacturer's specifications. All equipment shall be checked by a certified mechanic and determined to be running in proper condition prior to operation.
8. Post a publicly visible sign with the telephone number and person to contact at the District regarding dust complaints. This person shall respond and take corrective action within 48 hours. BAAQMD's phone number shall also be visible to ensure compliance with applicable regulations.

Preconstruction Nesting Bird Survey

Measures to avoid impacts to nesting birds would include a pre-construction survey of the area within and adjacent to project activities within 14 days prior to construction if construction is initiated during the nesting bird season (February 1- August 31). If nesting birds are observed during the survey, a no-disturbance buffer should be established by a qualified biologist.

Unanticipated Discovery of Archaeological Resources

If archaeological resources are encountered during ground-disturbing activities, work in the immediate area would be halted and an archaeologist meeting the Secretary of the Interior's Professional Qualification Standards for archaeology would be contacted immediately to evaluate the find (National Park Service, 1983). If necessary, the evaluation may require preparation of a treatment plan and archaeological testing for California Register of Historic Resources (CRHR) eligibility. If the discovery proves to be CRHR-eligible and cannot be avoided by the project, additional work, such as data recovery excavation, may be warranted to mitigate any significant impacts.

Unanticipated Discovery of Paleontological Resources

In the unlikely event that previously unidentified paleontological resources are discovered during ground-disturbing activities, work in the immediate area would be halted. A BBPUD-approved paleontologist would evaluate and treat the discovery. All documents associated with the evaluation and treatment of any resources would be prepared following professional best practice standards and would comply with guidelines set forth by the California Office of Historic Preservation.

Unanticipated Discovery of Human Remains

The discovery of human remains is always a possibility during ground-disturbing activities. If human remains are found, the State of California Health and Safety Code Section 7050.5 states that no further disturbance would occur until the County Coroner has made a determination of origin and disposition pursuant to Public Resources Code Section 5097.98. In the event of an unanticipated discovery of human remains, the Sonoma County Coroner must be notified immediately. If the human remains are determined to be prehistoric, the Coroner will notify the Native American Heritage Commission, which will determine and notify a most likely descendant (MLD). The MLD would complete the inspection of the site and provide recommendations for treatment to the landowner within 48 hours of being granted access.

2.7 Project – Related Approvals, Agreements, and Permits

It is anticipated that permits would be obtained from the following agencies:

- Caltrans Encroachment Permit

3.0 RATIONALE FOR THE SECTION 15301 AND SECTION 15302 CATEGORICAL EXEMPTION

The project would be exempt from CEQA per Section 21000-21177, Public Resources Code; Title 14, Division 6, Chapter 3, Section 15000-15387, California Code of Regulations in accordance with the following exemptions: §15301 (Class 1 - Existing Facilities) and §15302 (Class 2 – Replacement or Reconstruction). The complete description of the exemptions as stated in the CEQA Guidelines is found in section 5 of this memorandum.

3.1 15301. Existing Facilities

Class 1 includes the repair, maintenance, or minor alteration of existing public facilities, including pedestrian trails and topographical features, involving negligible or no expansion of use. The proposed project is consistent with this exemption because work would consist of repair, maintenance, and minor alterations to the existing BBPUD sewer main system, and no expansion of use would occur. Pipe would be rehabilitated in its current location, primarily on roadways within the public ROW. The intent of this project is to eliminate as much wastewater inflow/infiltration as possible, with no expansion of sewer main or increase in capacity. The proposed project would improve the existing sewer mains which were found to be in poor condition. As such, the project would qualify for the Class 1 CEQA Exemption as the project would result in no expansion of capacity to existing facilities.

3.2 15302. Replacement or Reconstruction

Class 2 consists of replacement or reconstruction of existing structures and facilities where the new structure will be located on the same site as the structure replaced and will have substantially the same purpose and capacity as the structure replaced. The proposed project is consistent with this exemption because work would consist of rehabilitation of the existing sewer mains in their current locations, primarily on roadways within the public ROW. The intent of this project is to eliminate as much wastewater inflow/infiltration as possible, with no expansion of sewer main or increase in capacity. The proposed sewer main repair and/or replacement would not be able to support more than the planned services for the area and would not encourage future growth, so as to require an expansion in capacity. Therefore, the proposed project would qualify for the Class 2 CEQA Exemption as the rehabilitation of the sewer mains would result in no expansion of capacity and the rehabilitated sewer mains would have the same purpose and capacity as the existing sewer mains.

3.3 15300.2. Exceptions

Even if a project is ordinarily exempt under the potential categorical exemptions, CEQA Guidelines Section 15300.2 and Public Resources Code Section 21084 provides specific instances where exceptions to the otherwise applicable exemptions apply. The following exceptions are:

1. Cumulative Impact: This exemption is inapplicable when the cumulative impact of successive programs of the same type and in the same place over time is significant.

2. Significant Effect: A categorical exemption shall not be used for an activity when there is reasonable possibility that the activity will have a significant effect on the environment due to unusual circumstances.
3. Scenic Highways: A categorical exemption shall not be used for a project that may result in damage to scenic resources, including, but not limited to, trees, historic buildings, rock outcroppings, or similar resources, within a highway that has been officially designated as a state scenic highway.
4. Hazardous Waste Sites: A categorical exemption shall not be used for a project located on a site that is included on any list compiled pursuant to Section 65962.5 of the Government Code.
5. Historical Resources: A categorical exemption shall not be used for a project that may cause a substantial adverse change in the significant of a historical resource.

3.4 Project Analysis

No expansion of service would occur as a result of the project. The proposed project would rehabilitate existing sewer mains in their current locations, primarily on roadways within the public ROW. The two locations outside of the ROW are depicted on Site Plan 10C and Site Plan 30 (Appendix A). Since the proposed project consists of rehabilitating segments of the existing BBPUD sewer mains, and there would be no expansion of use or capacity, the proposed project qualifies for a Categorical Exemption under Class 1, Existing Facilities, and Class 2, Replacement or Reconstruction, and would not meet any of the Section 15300.2 Exceptions, as analyzed further in Table 1, below.

Table 1: CEQA Guidelines Section 15300.2 Exceptions

15300.2 EXCEPTIONS	JUSTIFICATION
Cumulative Impact	The project would not result in cumulative impacts because the repair and/or replacement of the sewer mains would not result in growth-inducing effects or increase future capacity. The proposed project would merely replace the existing infrastructure currently found to be in poor condition. The replacement and rehabilitation of the sewer mains would help meet existing daily demand as well as improve safety and efficiency. As such, the proposed project would not result in any significant effects or any significant cumulative impacts.
Significant Effect	The proposed project would not result in significant effects as a result of unusual circumstances as no such circumstances are applicable to the project area. According to the preliminary desktop review performed by a WRA Biologist, the proposed project would not result in any impacts to any sensitive communities or any special-status species. All Project components will be installed underground and no above-ground features such as: fences, walls, dams or roadways will be constructed. Therefore, conditions following the completion of the proposed project will be the same as they were prior to construction. The proposed project will not result in any new barriers or encumbrances to wildlife species movement.

The project would implement effective avoidance and minimization measures, as well as applicable best management practices. Measures to avoid impacts to nesting birds would include a pre-construction survey of the area within and adjacent to project activities within 14 days prior to construction if construction is initiated during the nesting bird season (February 1 - August 31). If nesting birds are observed during the survey, a no-disturbance buffer shall be established by a qualified biologist.

The project would not have an adverse effect on significant cultural or tribal cultural resources.

Best management practices (BMPs) described above will be implemented in the case of an unanticipated discovery of cultural resources during project development. The project is also required to adhere to regulations regarding the unanticipated discovery of human remains.

Scenic Highways

Although the proposed project sites are located near and within Highway 1, which is an officially designated scenic highway, the proposed project would rehabilitate sewer lines underground which would not be visible from any scenic corridors (Caltrans, 2021). The proposed project would repair and/or replace sewer mains underground which would not be visible from any scenic corridors and conditions following the completion of the proposed project will be the same as they were prior to construction. Therefore, the proposed project would not result in significant impacts to scenic highways. The project would also not remove any trees, historic buildings, rock outcroppings, or other similar resources.

Hazardous Waste Sites

The project sites are not listed on the Cortese List as active and open hazardous waste sites, pursuant to Section 65962.5 of the Government Code (Department of Toxic Substances Control, 2021). However, an area in the vicinity of the project sites (in between Site Plan 9B and Site Plan 7A, Appendix A) is located near a site identified on the State Water Resources Control Board's GeoTracker website: Mason's Marina Fueling Station, which is listed as a Cleanup Program Site with the current status of "Open – Verification Monitoring As Of 6/30/2020" (State Water Resources Control Board, 2021). The Mason's Marina Fueling Station site has been operated by the County of Sonoma for the sale of motor vehicle fuel; the site is an aboveground fueling facility with five aboveground storage tanks, associated above and below ground piping and a fuel dispensing island. According to the findings presented in the *Second Quarter 2021 Groundwater Monitoring Report and Low Threat Closure Policy Evaluation* prepared for the Mason's Marina Fueling Station site, the site is currently under consideration for case closure with no further action (State Water Resources Control Board, 2021). Therefore, the project would not be precluded from being categorically exempt per this exception.

Historical Resources

The proposed project will not affect known historical resources. The project would not adversely change the significance of a historical resource as the sewer rehabilitation would occur entirely within existing roadways which have previously been disturbed and would not affect any known historical resources. The proposed project would not have any significant impacts on historic and/or historical archaeological resources.

4.0 REFERENCES

- Caltrans. (2021). *List of eligible and officially designated State Scenic Highways*. Retrieved from <https://dot.ca.gov/programs/design/lap-landscape-architecture-and-community-livability/lap-liv-i-scenic-highways>
- Coastland Civil Engineering, Inc. (2021) Site Plans. *Improvement Plans for 2021 Sewer Rehabilitation Project. May 2021. For Bodega Bay Public Utility District. Sonoma County, California.*
- Department of Toxic Substances Control. (2021). *Hazardous Waste and Substances Site List (Cortese)*.
- National Park Service. (1983). *Archaeology and Historic Preservation: Secretary of the Interior's Standards and Guidelines*. Washington, DC. Retrieved March 21, 2019, from https://www.nps.gov/history/local-law/arch_stnds_0.htm
- State Water Resources Control Board. (2021). *Geotracker*. Retrieved November 9, 2021, from https://geotracker.waterboards.ca.gov/profile_report.asp?global_id=T10000009067

5.0 EXEMPTION LANGUAGE

Section 21000-21177, Public Resources Code; Title 14, Division 6, Chapter 3, Section 15000-15387, California Code of Regulations

15301. EXISTING FACILITIES

Class 1 consists of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of existing or former use. The types of “existing facilities” itemized below are not intended to be all-inclusive of the types of projects which might fall within Class 1. The key consideration is whether the project involves negligible or no expansion of use.

Examples include but are not limited to:

- (a) Interior or exterior alterations involving such things as interior partitions, plumbing, and electrical conveyances;
- (b) Existing facilities of both investor and publicly owned utilities used to provide electric power, natural gas, sewerage, or other public utility services;
- (c) Existing highways and streets, sidewalks, gutters, bicycle and pedestrian trails, and similar facilities (this includes road grading for the purpose of public safety), and other alterations such as the addition of bicycle facilities, including but not limited to bicycle parking, bicycle-share facilities and bicycle lanes, transit improvements such as bus lanes, pedestrian crossings, street trees, and other similar alterations that do not create additional automobile lanes);
- (d) Restoration or rehabilitation of deteriorated or damaged structures, facilities, or mechanical equipment to meet current standards of public health and safety, unless it is determined that the damage was substantial and resulted from an environmental hazard such as earthquake, landslide, or flood;
- (e) Additions to existing structures provided that the addition will not result in an increase of more than:
 - (1) 50 percent of the floor area of the structures before the addition, or 2,500 square feet, whichever is less; or
 - (2) 10,000 square feet if:
 - (A) The project is in an area where all public services and facilities are available to allow for maximum development permissible in the General Plan and
 - (B) The area in which the project is located is not environmentally sensitive.
- (f) Addition of safety or health protection devices for use during construction of or in conjunction with existing structures, facilities, or mechanical equipment, or topographical features including navigational devices;
- (g) New copy on existing on and off-premise signs;
- (h) Maintenance of existing landscaping, native growth, and water supply reservoirs (excluding the use of pesticides, as defined in Section 12753, Division 7, Chapter 2, Food and Agricultural Code);
- (i) Maintenance of fish screens, fish ladders, wildlife habitat areas, artificial wildlife waterway devices, streamflows, springs and waterholes, and stream channels (clearing of debris) to protect fish and wildlife resources;
- (j) Fish stocking by the California Department of Fish and Game;

- (k) Division of existing multiple family or single-family residences into common-interest ownership and subdivision of existing commercial or industrial buildings, where no physical changes occur which are not otherwise exempt;
- (l) Demolition and removal of individual small structures listed in this subdivision:
 - (1) One single-family residence. In urbanized areas, up to three single-family residences may be demolished under this exemption.
 - (2) A duplex or similar multifamily residential structure. In urbanized areas, this exemption applies to duplexes and similar structures where not more than six dwelling units will be demolished.
 - (3) A store, motel, office, restaurant, or similar small commercial structure if designed for an occupant load of 30 persons or less. In urbanized areas, the exemption also applies to the demolition of up to three such commercial buildings on sites zoned for such use.
 - (4) Accessory (appurtenant) structures including garages, carports, patios, swimming pools, and fences.
- (m) Minor repairs and alterations to existing dams and appurtenant structures under the supervision of the Department of Water Resources.
- (n) Conversion of a single-family residence to office use.
- (o) Installation, in an existing facility occupied by a medical waste generator, of a steam sterilization unit for the treatment of medical waste generated by that facility provided that the unit is installed and operated in accordance with the Medical Waste Management Act (Section 117600, et seq., of the Health and Safety Code) and accepts no offsite waste.
- (p) Use of a single-family residence as a small family day care home, as defined in Section 1596.78 of the Health and Safety Code.

15302. REPLACEMENT OR RECONSTRUCTION

Class 2 consists of replacement or reconstruction of existing structures and facilities where the new structure will be located on the same site as the structure replaced and will have substantially the same purpose and capacity as the structure replaced, including but not limited to:

- (a) Replacement or reconstruction of existing schools and hospitals to provide earthquake resistant structures which do not increase capacity by more than 50 percent.
- (b) Replacement of a commercial structure with a new structure of substantially the same size, purpose, and capacity.
- (c) Replacement or reconstruction of existing utility systems and/or facilities involving negligible or no expansion of capacity.
- (d) Conversion of overhead electric utility distribution system facilities to underground including connection to existing overhead electric utility distribution lines where the surface is restored to the condition existing prior to the undergrounding.

Appendix A – Site Plans