

NOTICE OF EXEMPTION

TO:

Office of Planning and Research
1400 Tenth St.
Sacramento, CA 95814

Siskiyou County Clerk
510 N. Main St.
Yreka, CA 96097

FROM:

City of Dunsmuir
5915 Dunsmuir Avenue
Dunsmuir, CA 96025

Project Title: Mossbrae Springs Improvements Project

Project Location:

As shown in **Figure 1**, the proposed project is located within and north of the City of Dunsmuir (City) city limits, in Section 13, Township 39N, Range 4W, and Section 7, Township 39N, Range 3W, of the U.S. Geological Survey's Dunsmuir 7.5-minute quadrangle. One component of the proposed project (Mossbrae Springs, staging area, and access road) is located on private property west of Dunsmuir Avenue and Interstate 5 and east of Mossbrae Falls, on land under jurisdiction of Siskiyou County (Siskiyou County Assessor's Parcel Numbers (APNs) 028-120-180 and 030-250-060). An emergency chlorination system would be located within the Dunsmuir city limits, on City-owned property just west of the Dunsmuir Avenue/Interstate 5 interchange (APN 059-010-190). Improvements to the North Dunsmuir Tank are located on City-owned property to the east of Interstate 5 (APN 030-260-400).

City: Dunsmuir

County: Siskiyou

Description of Nature, Purpose, and Beneficiaries of Project:

The proposed Mossbrae Springs Improvements Project addresses priority improvements identified in the City's 2015 Master Water Plan. The City's water supply is provided through the diversion of a few of the 16 springs that are collectively known as Mossbrae Springs (Springs). The remaining springs form Mossbrae Falls, which is directly tributary to the Sacramento River. Water from the springs is of excellent quality and requires no long-term treatment or chlorination at this time; however, emergency chlorination facilities are available adjacent to the spring headworks.

Proposed improvements at Mossbrae Springs include the following:

- Removal and replacement of the existing parallel 12-inch steel water pipes with a single 18-inch steel pipe in the same alignment;
- Installation of isolation valves, sample taps, and overflow lines to the existing drainage for each spring;
- Demolition and replacement of five existing concrete spring boxes with new concrete spring boxes and sanitary sealed access hatches to improve security of the spring resources from vandalism and contamination;
- Replacement of the steel doors on Tunnel 1 and 2 of Spring 2;
- Demolition and replacement of the weir building with a concrete retaining wall and a vault containing flowmeters and piping to maintain the existing hydraulics. Existing culverts would be replaced and a new drain box would be installed adjacent to the vault;
- Installation of Supervisory Control and Data Acquisition (SCADA) systems on the existing emergency chlorination facility and the new overflow and diversion flow meters;
- Addition of 4-inch thick gravel fill along the access pathway;
- Updates to the existing SCADA system at the North Dunsmuir Tank, including replacement of the existing antenna and modifications to the existing control panel.

In addition to the Springs improvements, the project includes a new, permanent emergency chlorination system located at the Castle Rock Water Bottling facility. The parcel is City-owned and leased to the water bottling

company. An existing vault would be demolished and replaced by a new chlorine injection vault; a chlorine building would be constructed to the west of the bottling facility and a 4-inch waterline would connect the two structures. The new chlorination system would be connected to the existing water line extending from the springs to North Dunsmuir. The chlorination system would be used on an as-needed basis.

The proposed improvements are necessary for continued use of the Springs as the City's water supply, and for the general health and well-being of City residents. The City is also under a Compliance Order issued by State Water Resources Control Board (SWRCB) Division of Drinking Water (DDW) to install permanent facilities to house emergency chlorination equipment, and to repair leaks in the spring facilities. All work would replace/improve existing infrastructure and would not expand the City's water rights or water-diversion capacity. Staging areas for materials and construction equipment would be located within the project area near Dunsmuir Avenue/Mott Road. Temporarily disturbed areas would be restored to pre-construction contours.

Name of Public Agency Approving Project: City of Dunsmuir

Name of Agency Carrying out the Project: City of Dunsmuir

Local Agency Contact Person: Dustin Rief, City Manager. 530.235.4822, Ext.103
citymanager@ci.dunsmuir.ca.us

Exempt Status: Categorical Exemption:

California Code of Regulations, Title 14, Division 6, Chapter 3 (CEQA Guidelines):

Class 1, §15301 (Existing Facilities)

Class 2, §15302 (Replacement or Reconstruction)

Reason Why Project Is Exempt:

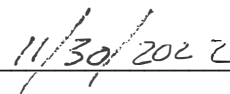
Class 1 includes the repair, maintenance, or minor alteration of existing public facilities involving negligible or no expansion of use. Class 2 includes replacement or reconstruction of existing utility systems and/or facilities involving negligible or no expansion of capacity. The project is consistent with the categorical exemptions noted above because work would consist of repair, maintenance, and minor alterations to existing facilities; no expansion of capacity or change in use would occur.

As documented in **Attachment A**, the proposed project would not have a significant effect on the environment due to unusual circumstances; would not result in damage to scenic resources within a Scenic Highway; is not located on a hazardous waste site pursuant to §65962.5 of the Government Code; would not cause a substantial adverse change in the significance of a historical resource; and would not result in cumulative impacts.

Signature:


Dustin Rief
City Manager

Date:


11/30/2022

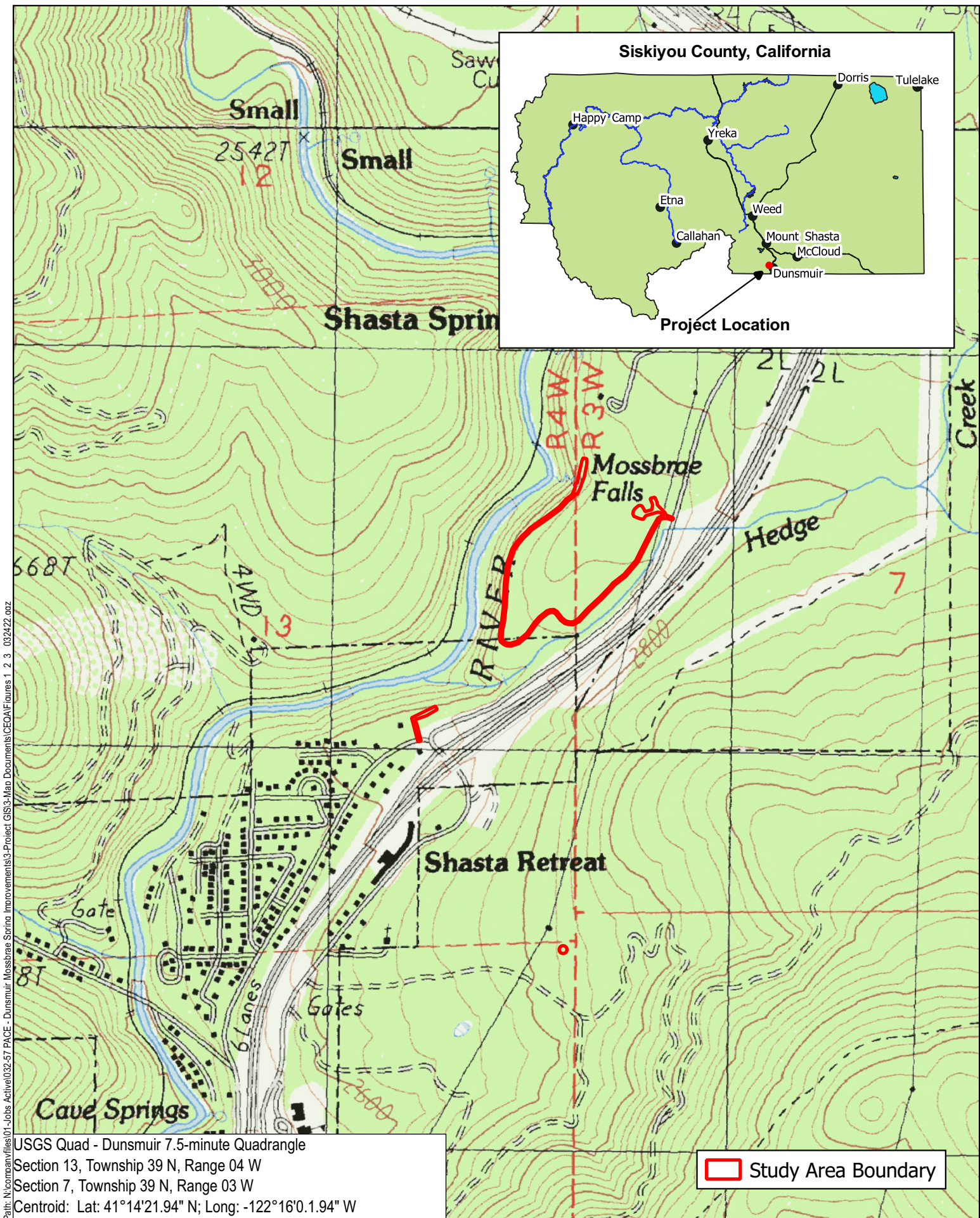
Date Received for Filing at OPR: _____

Attachments:

Figure 1: Project Vicinity and Location

Figure 2: Overall Site Plan

Attachment A: Documentation in Support of a Categorical Exemption



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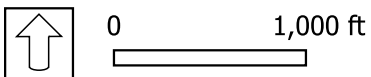


Figure 1

Project Location and Vicinity

All depictions are approximate. Not a survey product.

10.10.22






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Figure 2
Overall Site Plan

All depictions are approximate. Not a survey product. 10.10.22

 Study Area Boundary

ATTACHMENT A

Documentation in Support of a Categorical Exemption Mossbrae Springs Improvements Project

As described in the Notice of Exemption (NOE), the proposed project is categorically exempt from CEQA pursuant to §15301 (Class 1-Existing Facilities); and §15302 (Class 2-Replacement or Reconstruction) of the CEQA Guidelines. CEQA Guidelines §15300.2 identifies exceptions that override a lead agency's ability to use a categorical exemption. These exceptions are listed below, followed by documentation of why each exception does not apply to the proposed project.

1. Location. *Classes 3, 4, 5, 6, and 11 are qualified by consideration of where the project is to be located -- a project that is ordinarily insignificant in its impact on the environment may in a particularly sensitive environment be significant. Therefore, these classes are considered to apply in all instances, except where the project may impact on an environmental resource of hazardous or critical concern where designated, precisely mapped, and officially adopted pursuant to law by federal, state, or local agencies.*

The proposed project is supported by Class 1 and Class 2 exemptions. As documented below, no evidence has been found to suggest that the project location is particularly sensitive. Likewise, the project is not expected to affect an environmental resource of hazardous or critical concern. Therefore, the Class 1 and Class 2 exemptions are applicable to the proposed project.

2. Cumulative Impact. *All exemptions are inapplicable when the cumulative impact of successive projects of the same type in the same place, over time, is significant.*

The project involves improvements to existing components of the City's public water system. These improvements are required in order to replace old water pipes that have exceeded their useful lifespan, expand the overflow weir to handle overflows, and eliminate environmental and public health risks to drinking water quality. Although the City is planning to complete improvements to its sewer collection system and replace water mains within the same timeframe, impacts of these projects would be temporary and cease at completion of the projects. Because the proposed project is confined to previously disturbed areas, involves primarily replacement of existing facilities, and would have no impacts following completion of construction, it would not contribute cumulatively to impacts associated with other planned City water and sewer projects.

3. Significant Effect. *A categorical exemption shall not be used for an activity where there is a reasonable possibility that the activity will have a significant effect on the environment due to unusual circumstances.*

An "unusual circumstance" exists if the project's circumstances differ from the general circumstances of projects covered by the applicable exemption, and, if so, whether there is a reasonable possibility of a significant effect on the environment *due to* the unusual circumstances. As documented below, there are no unusual circumstances that would preclude a categorical exemption for the proposed project.

Aesthetics:

The proposed project includes replacement of existing facilities at the Springs and existing North Dunsmuir Tank, and construction of a new storage building on the west side of the existing Castle Rock Water Bottling Facility. Due to the dense surrounding vegetation and restricted public access in the area, work at the Springs and North Dunsmuir Tank would not be visible to the general public. The new building for chlorination equipment would be minimally visible to the general public, and would be in character with existing buildings on the parcel. Although three mature trees would be removed and a few plants may be pruned up to accommodate the proposed improvements, a significant number of trees and shrubs would remain. Temporarily disturbed areas would be restored to pre-construction contours. Temporary visual impacts during construction due to excavation and staging activities would cease at the completion of the improvements; no permanent impacts would occur. There are no unusual circumstances associated with the proposed project that would preclude a categorical exemption for the proposed project.

Agriculture and Forest Resources:

No agricultural land is located in the project area. Improvements would occur on previously disturbed lands surrounded by a forested area and project implementation would result in the removal of three trees to facilitate construction of the proposed improvements. Due to the abundance of trees that would remain, tree removal would not result in a significant impact on forest land. There are no unusual circumstances associated with agricultural lands or forest resources that would preclude a categorical exemption for the proposed project.

Air Quality/Greenhouse Gas (GHG) Emissions:

The proposed project would result in the temporary generation of ROG, NOx, PM₁₀, and other regulated pollutants during construction. ROG and NOx emissions are associated with employee vehicle trips, delivery of materials, and construction equipment exhaust. PM₁₀ is generated during site preparation, excavation, road paving, and from exhaust associated with construction equipment. The project does not include any components that would result in a long-term increase in emissions. There are no unusual circumstances associated with air quality that would preclude a categorical exemption for the proposed project.

Biological Resources:

As documented below, based on the results of a biological records review and field surveys, there are no unusual circumstances associated with biological resources that would preclude a categorical exemption for the proposed project.

Records Search

The evaluation of potential impacts to special-status species and sensitive habitats was based on a records search and field observations. Records reviewed for the evaluation consisted of California Natural Diversity Data Base (CNDDDB) records for special-status plants, animals, and natural communities; the California Native Plant Society (CNPS) Inventory of Rare and Endangered Plants; U.S. Fish and Wildlife Service (USFWS) records for federally listed, proposed, and Candidate plant and animal species under jurisdiction of the USFWS; USFWS records for migratory birds of conservation concern; National Marine Fisheries Service (NMFS) records for anadromous fish species under the jurisdiction of the NMFS; soils records maintained by the U.S. Department of Agriculture's (USDA) Natural Resources Conservation Service (NRCS); and National Wetlands Inventory (NWI) maps.

Special-Status Plants. USFWS records did not identify any special-status plant species with the potential to occur in the project area. CNDDDB records did not identify any special-status plants in the project site. However, 15 special-status plant species have been reported to occur within a five-mile radius of the project site: Aleppo avens, broad-nerved hump moss, Cascade grass-of-Parnassus, Castle Crags harebell, Castle Crags ivesia, Klamath fawn lily, marsh skullcap, northern adder's tongue, Oregon fireweed, rattlesnake fern, Shasta chaenactis, Siskiyou clover, waldo daisy, woodnymph, and woolly balsamroot. CNPS records did not identify additional special-status species within the project area quadrant.

Special-Status Animals. USFWS records identify ten special-status animal species with the potential to occur in the project area: gray wolf, north American wolverine, northern spotted owl, yellow-billed cuckoo, delta smelt, longfin smelt, Franklin's bumble bee, monarch butterfly, conservancy fairy shrimp, vernal pool fairy shrimp, and vernal pool tadpole shrimp. According to NMFS, there are no anadromous fish in the project area because Shasta and Keswick Dams block upstream passage to spawning areas in the upper Sacramento River.

CNDDDB records identified two special-status animals, American peregrine falcon and black swift, as broadly occurring within the project site. CNDDDB records show that ten special-status animal species have been reported within a five-mile radius of the project site: bank swallow, Cascades frog, fisher, foothill yellow-legged frog, northern goshawk, Pacific tailed frog, spotted bat, western mastiff bat, and western yellow-billed cuckoo.

Botanical and Wildlife Surveys

Botanical and wildlife surveys of the project site were completed on June 11, 2018, and August 19, 2021. Some of the special-status species potentially occurring in the project area may not be evident at the time the fieldwork was conducted. However, determination of their potential presence could readily be made based on observed habitat characteristics. No special-status species were observed during the field evaluations, nor are any expected to be adversely affected by project implementation.

The City is required to obtain coverage under the State Water Resources Control Board's (SWRCB) permit for *Discharges of Storm Water Runoff Associated with Construction Activity*. The permitting process requires the development and implementation of an effective Storm Water Pollution Prevention Plan (SWPPP) that includes Best Management Practices (BMPs) to control erosion and sedimentation and prevent damage to streams, watercourses, and aquatic habitats. With implementation of BMPs, the potential for indirect effects on special-status wildlife species in downstream waters is less than significant.

Natural Communities

CNDDDB records did not identify any sensitive natural communities in the project area. However, field evaluation identified wetlands within the Springs project area. The project is required to obtain permits for work in and around the wetlands that could cause impacts. The permits would include appropriate measures to minimize potential impacts. The requirement for permitting is not considered an unusual circumstance for this type of project in Dunsmuir.

Nesting Migratory Birds

The USFWS identified the following Birds of Conservation Concern as potentially being affected by the proposed project: bald eagle, black swift, Cassin's finch, oak titmouse, olive-sided flycatcher, Rufous hummingbird, and wrentit. Project implementation would result in the removal of three trees to facilitate construction of the proposed improvements. The potential for adversely affecting nesting birds will be minimized by conducting construction activities outside of the nesting season (between September 1 and January 31), or conducting pre-construction nesting surveys in accordance with existing standard construction measures if work is conducted during the nesting season.

Energy

The proposed project does not include any components that would result in environmental impacts due to the wasteful, inefficient, or unnecessary consumption of energy resources in the long-term. There are no unusual circumstances related to energy use during construction or operation of the proposed project that would result in more significant impacts than other similar projects.

Geology and Soils:

According to the Alquist-Priolo Earthquake Fault Zoning Map, the nearest Alquist-Priolo Special Study Zone to the project area is the Hatchet Creek Fault, approximately 27 miles to the southeast. No active or potentially active faults are identified in the study area. Soils on the project site are mapped by the USDA Natural Resources Conservation Service (NRCS) as Ponto sandy loam, 2 to 15 percent slopes (286), Kindig-Neuns complex, 15 to 30 percent slopes (223), and Neer gravelly sandy loam, 50 to 75 percent slopes (257). These soil types are found throughout the Dunsmuir area and are not unique to the project site.

Hydrology and Water Quality:

Construction activities would result in the temporary disturbance of soil and would expose disturbed areas to potential storm events, which could generate accelerated runoff, localized erosion, and sedimentation. However, this is a temporary impact during grading and construction activities, and no long-term impacts would occur. In addition, as stated under Biological Resources above, BMPs for erosion/sediment control would be implemented to prevent damage to streams, watercourses, and aquatic habitats. There are no unusual circumstances associated with the proposed project that would preclude a categorical exemption for the proposed project.

According to the Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map (Panel

06093C3432D, effective January 19, 2011), the proposed improvements are located in an area of minimal flood hazard; therefore, project implementation would not impede or redirect flood flows or otherwise adversely affect the natural values and functions of the floodplain.

Land Use and Planning:

Given the location of the proposed facilities, the project would not physically divide an established community. The proposed project would comply with applicable City and County regulations. There are no unusual circumstances associated with the proposed project that would preclude a categorical exemption for the proposed project.

Mineral Resources:

The California Geological Survey has not designated any Mineral Resource Zones in the study area. In addition, there are no properties in the project area that are zoned for mining activities.

Noise:

Construction activities would generate noise and would temporarily increase noise levels in the area. However, there is nothing unique to the project that would result in more significant impacts than other construction projects in the area. The project does not include any components that would result in a permanent increase in noise levels.

Population and Housing:

The proposed improvements are necessary for continued use of the Springs as City's water supply, and for the general health and well-being of City residents. Work would not expand the City's water rights or water-diversion capacity; therefore, the project would not induce population growth.

Public Services/Recreation:

Because the project would not induce unplanned population growth, the project would not generate a demand for additional fire protection, police protection, schools, parks/recreational facilities, or other public services.

Transportation/Traffic:

There would be short-term increases in traffic in the area associated with construction workers and equipment; however, existing regulations require safety measures to be employed to safeguard travel by the general public during construction. Because the project would not induce population growth, the project would not directly or indirectly result in a permanent increase in traffic.

Utilities and Service Systems:

The project would not require the relocation of sewer lines, electric facilities, storm drains, natural gas, or other utility infrastructure. The project does not include any components that would result in an increased demand for water or wastewater treatment. There are no unusual circumstances associated with the proposed project that would preclude a categorical exemption for the proposed project.

Wildfire

The proposed project does not include any development or improvements that would increase the long-term risk of wildland fires or expose people or structures to wildland fires. There are no unusual circumstances associated with the proposed project that would result in more significant impacts than other projects in the area.

4. Scenic Highways. *A categorical exemption shall not be used for a project which may result in damage to scenic resources, including but not limited to, trees, historic buildings, rock outcroppings, or similar resources, within a highway officially designated as a State Scenic Highway.*

According to the California Scenic Highway Mapping System, there are no officially designated State Scenic Highways in the Project area; therefore, there would be no impact.

5. Hazardous Waste Sites. *A categorical exemption shall not be used for a project located on a site which is included on any list compiled pursuant to §65962.5 of the Government Code.*

The following databases were reviewed to locate "Cortese List" sites.

- List of Hazardous Waste and Substances sites from the Department of Toxic Substances Control (DTSC) EnviroStor database.
- SWRCB GeoTracker Database.
- List of solid waste disposal sites identified by SWRCB with waste constituents above hazardous waste levels outside the waste management unit.
- List of active Cease and Desist Orders and Clean-Up and Abatement Orders from the SWRCB.

The SWRCB GeoTracker database identified two clean-up sites approximately two miles south of the proposed improvements; these sites would not affect or be affected by project implementation. No clean-up sites are known to occur in or near the project footprint.

6. Historical Resources. *A categorical exemption shall not be used for a project which may cause a substantial adverse change in the significance of a historical resource.*

A Cultural Resources Inventory Report (CRI) and Addendum to the CRI were completed for the proposed Project by ENPLAN. The study included a records search, Native American consultation, and field evaluation. The records search included review of records at the Northeast Information Center of the California Historical Resources Information System (NEIC/CHRIS), and a review of historical maps, the *National Register of Historic Places*, *California Register of Historic Resources*, *California Historical Landmarks*, *California Inventory of Historic Resources*, and *California Points of Historic Interest*, and the directory of properties in the Historic Property Data Files for Siskiyou County.

A records search was conducted at the NEIC/CHRIS on March 14, 2018, and covered a half-mile radius around the project's Area of Potential Effects (APE). The records search revealed that 11 archaeological surveys have been conducted within a half-mile radius of the APE, one of which encompassed portions of the APE. There are seven previously recorded archaeological sites within a half-mile radius of the APE.

On April 23, 2018, the Native American Heritage Commission (NAHC) conducted a search of the Sacred Lands File and indicated that no known Native American sacred sites or cultural resources are located in the project area. The NAHC also provided contact information for several Native American representatives and organizations, who were contacted, with a request to provide comments on the proposed project. Kelli Hayward responded on behalf of the Wintu Tribe of Northern California on May 15 and August 13, 2018. Ms. Hayward expressed concern that the project is located in areas sensitive for cultural resources. Alex Watts-Tobin responded on behalf of the Karuk Tribe on August 14, 2018. Mr. Watts-Tobin indicated that the Karuk have no concerns regarding this project at this time. No other responses were received.

Archaeological fieldwork took place on June 11, 2018, April 17, 2019, and November 22, 2021, during which the APE was intensively surveyed to identify cultural resources that would be potentially affected by the proposed project. Three surface lithic scatters were identified in or adjacent to the APE. Ms. Hayward was notified of the survey results; she requested that a monitor be present during any ground-disturbing work at the lithic scatters. However, no ground disturbing work is proposed that would affect the lithic scatters. The State Water Board archaeologist was also consulted, and confirmed that no additional work is warranted for the proposed project with respect to the lithic scatters.

The CRI and Addendum concluded that the project would have no effect on any known cultural resources. Based on the geomorphological and topographic characteristics of the project area, the results of the records

and literature search, and the age of the soils mapped in the area, the project area is considered to have a low potential for buried historic and prehistoric resources. Furthermore, due to the level of disturbance attributed to the previously installed water lines, the project area is considered to have a low potential for contextual integrity for both historic and prehistoric cultural resources. However, because there is always some potential for previously unknown cultural resources to be encountered during site excavation, the following standard construction measures would be included in construction contracts for the project to address the inadvertent discovery of cultural resources and human remains:

1. In the event of any inadvertent discovery of cultural resources (i.e., burnt animal bone, midden soils, projectile points or other humanly modified lithics, historic artifacts, etc.), all work within 50 feet of the find shall be halted until a professional archaeologist can evaluate the significance of the find in accordance with PRC §21083.2(g) and §21084.1, and CEQA Guidelines §15064.5(a). If any find is determined to be significant by the archaeologist, the City shall meet with the archaeologist to determine the appropriate course of action. If necessary, a Treatment Plan prepared by an archeologist outlining recovery of the resource, analysis, and reporting of the find shall be prepared. The Treatment Plan shall be reviewed and approved by the City prior to resuming construction.
2. In the event that human remains are encountered during construction activities, the City shall comply with §15064.5 (e) (1) of the CEQA Guidelines and PRC §7050.5. All project-related ground disturbance within 100 feet of the find shall be halted until the County coroner has been notified. If the coroner determines that the remains are Native American, the coroner will notify the NAHC to identify the most likely descendants of the deceased Native Americans. Project-related ground disturbance in the vicinity of the find shall not resume until the process detailed in §15064.5 (e) has been completed.

DOCUMENTATION:

California Air Resources Control Board. Area Designations Maps—State and National. <http://www.arb.ca.gov/desig/adm/adm.htm>. Accessed September 2022.

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California Native Plant Society, Rare Plant Program. Inventory of Rare and Endangered Plants of California (online edition, v8-03 0.39). www.rareplants.cnps.org. Accessed September 2022.

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Jacobs Engineering. 2019. First Quarter 2019 Groundwater Monitoring Report, North Dunsmuir Railyard, North Fueling Facility, Dunsmuir, California. http://geotracker.waterboards.ca.gov/esi/uploads/geo_report/9717663705/T10000005772.PDF. Accessed September 2022.

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U.S. Department of Agriculture, Natural Resource Conservation Service. 2019. Web Soil Survey. <https://websoilsurvey.nrcs.usda.gov/app/WebSoilSurvey.aspx>. Accessed September 2022.

U.S. Fish and Wildlife Service. 2022. [IPaC: Home \(fws.gov\)](https://www.fws.gov/). Official Species List. Accessed September 2022.

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