

Notice of Exemption

Appendix E

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

From: South Coast Water District
31592 West Street
Laguna Beach, CA 92651

County Clerk
County of: Orange
601 N. Ross Street
Santa Ana, CA 92701

Project Title: Sewer Operations Building Expansion Project

Project Applicant: South Coast Water District

Project Location - Specific:
34152 Del Obispo Street

Project Location - City: Dana Point Project Location - County: Orange

Description of Nature, Purpose and Beneficiaries of Project:

The Project involves the expansion of the existing prefabricated metal building "garage" portion of the building approximately 14 feet to the south; expansion of the existing locker room; construction of a new "Duty Room" which provides overnight facilities for employees who are on-call; architectural improvements including new roll-up garage doors, internal door and flooring; regrading and repaving the driveway to the south of the building to accommodate the building expansion and to replace pavement in poor condition; recoating of the building exterior; replacement of existing heating, ventilation, and air conditioning (HVAC) equipment; and replacement of power distribution and internal lighting systems. All improvements would be located within SCWD-owned facility.

Name of Public Agency Approving Project: South Coast Water District

Name of Person or Agency Carrying Out Project: South Coast Water 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));
[X] Categorical Exemption. State type and section number: Class 1 Section 15301, Class 2 Section 15302
Statutory Exemptions. State code number:

Reasons why project is exempt:

The Project is limited to alterations and rehabilitation of existing structures and is categorically exempt under Section 15301, Class 1: the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, or mechanical equipment, involving negligible or no expansion of existing or former use (b) which includes existing facilities of both investor and public owned utilities, and (d) which allows restoration or rehabilitation of deteriorated or damaged structures to meet current standards of public health and safety; and Section 15302, Class 2 (c) replacement or reconstruction of existing utility systems and/or facilities involving negligible or no expansion of capacity.

Lead Agency

Contact Person: Brian Peck, PE Area Code/Telephone/Extension: (949) 246-8338

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: [Handwritten Signature] Date: 12/29/2022 Title: Project Manager

[X] Signed by Lead Agency [ ] Signed by Applicant

Authority cited: Sections 2103 and 21110, Public Resources Code. Date Received for filing at OPR:
Reference: Sections 21108, 21152, and 21152.1, Public Resources Code.

## MEMORANDUM

December 28, 2022

**To:** Brian Peck, P.E.  
South Coast Water District

**From:** Jennifer Marks  
Psomas

**Subject:** Substantial Evidence for Notice of Exemption for the Sewer Operations Building Expansion Project

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**PROJECT, REVIEW OF CLASS 15301–EXISTING FACILITIES CRITERIA**

Section 15301. Existing Facilities would apply to the Project. 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.

(b) Existing facilities of both investor and publicly owned utilities to provide electric power, natural gas, sewerage, or other public utility services.

(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.

**REVIEW OF 15302–REPLACEMENT OR RECONSTRUCTION CRITERIA**

Section 15302. Replacement or Reconstruction would also apply to this project. Class 2 consists of replacement or reconstruction of existing structures and facilities. The new structure will be located at the same site and will have substantially the same purpose and capacity as the structure replaced, including but not limited to:

(c) Replacement or reconstruction of existing utility systems and/or facilities involving negligible or no expansion of capacity.

**PROJECT DESCRIPTION**

South Coast Water District (SCWD) is proposing to expand the existing Sewer Operations Center Building. The Sewer Operations Center Building Expansion Project (Project) involves the expansion and modification of an existing SCWD facility. The Sewer Operations Building is a combination pre-fabricated metal building and standard wood/gypsum board construction located at 34152 Del Obispo Street in Dana Point. The original building was constructed in the 1980s. The structure houses the staff and equipment of the SCWD Sewer Collections Operations and Maintenance Department. The Project is expected to begin construction in Summer 2023. Elements of construction would include:

- Expansion of the prefabricated metal building "garage" portion of the building approximately 14 feet to the south to allow the SCWD vacor trucks to be parked withing the building.
- Existing locker room expansion.
- Construction of a new "Duty Room" which provides overnight facilities for employees who are on-call.

- Architectural improvements including new roll-up garage doors, internal door, and flooring.
- Regrading and repaving of the driveway to the south of the building to accommodate the building expansion and to replace pavement in poor condition.
- Recoating of the building exterior.
- Replacement of existing heating, ventilation, and air conditions (HVAC) equipment.

The project will add 917 square feet to a single-story structure that currently has 2,400 square feet. The project will not change the vertical profile of the building. All improvements will take place within SCWD property. The project is being undertaken to improve the operational effectiveness of and to replace aged equipment and materials at the facility.

#### **REVIEW OF CITY OF DANA POINT GENERAL PLAN LAND USE MAP AND GUIDELINES**

The applicable land use designation for the existing property is Community Facility (CF), zoned under the DP Specific Plan Overlay (DPSP) (Dana Point 2022d, Dana Point 2022e). The proposed Project would not change the existing land use designation since it would be a continuation of an existing utility use.

#### **REVIEW 15300.2-EXCEPTIONS CRITERIA**

Location: Does not apply.

Cumulative Impacts: Project-related actions would be limited to the existing SCWD-owned property, located at 34152 Del Obispo Street, and the immediate surrounding area to gain access. Based on review of available environmental documents for current and approved projects; a list of Capital Improvement Projects under construction or approved for future construction; and SCWD's current water and wastewater projects, there is one active residential resurfacing construction project within one-half mile of the Project site (Dana Point 2022a, Dana Point 2022b, SCWD 2022). As with the proposed Project, the project proponent for this project would be required to comply with all applicable State, regional, and local requirements such as controlling fugitive dust, noise monitoring, and reducing construction vehicle traffic. Due to the limited scope and nature of the Project and proximity to other known projects, it is anticipated that cumulative impacts would not occur.

Significant Effects (unusual circumstances): As detailed by the discussion below, the Project would not pose significant effects on the environment since Project-related actions would occur within SCWD property. As described above, the proposed Project site is fully developed and located in an already developed environment, surrounded by roads, single-family homes to the west, multi-family residences to the south, and a South Orange County Wastewater Authority (SOCWA) facility to the east and to the north.

SCWD would coordinate with the City and all affected utility providers and public service providers, as appropriate, during Project construction and operation and would follow all City requirements. Contractors would be required to take precaution to protect all existing facilities and utilities; shall not perform any work that would interfere with or damage service, and shall provide all measures necessary to protect existing structures during all construction phases. The Project would be required to comply with all applicable requirements set forth in the Public Services/Growth Management Element of the General Plan (Dana Point 1991b).

The Project would result in limited short-term construction-related air and greenhouse gas (GHG) emissions related to shallow earthmoving, construction, and maintenance of proposed facilities. The types and numbers of construction equipment needed to construct the Project would be limited in number and the

construction area would be small; therefore, construction activities are not expected to exceed regional or local significance thresholds established by the South Coast Air Quality Management District (SCAQMD) or any applicable draft GHG thresholds promulgated by the SCAQMD Working Group. The Project would not be considered to result in a wasteful or inefficient use of energy. Further, operation of the Project would not result in any new vehicle trips or other environmental changes to existing conditions.

The Project site is fully developed and integrated into the South Coast Water District Sanitary Operations facility. It is surrounded by a mix of urban land uses and ornamental landscaping which provide minimal foraging habitat for common, local animal species. It does not serve as a wildlife corridor or native wildlife nursery site. Thus, the Project site does not contain any habitat suitable for special status plant and animal species. Further, review of the U.S. Fish and Wildlife Service's (USFWS') Critical Habitat for Threatened and Endangered Species shows the nearest critical habitat in Dana Point located in an area known as Deep Canyon where I-5 and SR-1 intersect, approximately 0.77 miles east of the Project site. Various residential communities, utility facilities, and commercial establishments lie between the proposed Project site and the nearest critical habitat; therefore, the Project would not have an impact on federally listed Threatened or Endangered plant or wildlife species, nor would it result in removal of any federally designated critical habitat. No riparian habitat or wetlands are located on the Project site, nor would any be affected by the Project.

As described previously, the Project site is in a fully urban area and has been subject to past development. In such areas the underlying soil would be comprised of artificial fill, which would not contain cultural (i.e., archaeological, buried historical, paleontological, or tribal cultural) resources. Any earth disturbing activity that would take place would be limited to construction of the duty room and repaving.

The Project would not result in the development of housing or other habitable structures that would expose people to risks associated with seismic shaking, ground failure, landslides, or other geotechnical issues present in Southern California. Also, during construction, the contractor would be required to comply with all applicable safety laws, rules, ordinances, and regulations and in the California Building Code (BSC 2022).

The Project would not change the existing drainage pattern on the site or surrounding areas. Specifically, there would be no changes to topography or storm water drainage infrastructure and nominal changes to impervious surface area with Project implementation. During construction, the contractor would be required to implement erosion control measures to manage sediment and other potential pollutants that could affect water quality. Appropriate Best Management Practices (BMPs) for construction-related materials, wastes, spills, or residues would be implemented to minimize transport from the site to streets, drainage facilities, or adjoining property by wind, runoff, or tracking. The Project would comply with all local, State, and federal Stormwater Pollution Prevention laws and any requirements of the California Regional Water Quality Control Board, Santa Ana Region.

Construction of the Project would comply with the allowable thresholds and be limited to the times as designated in the Noise Element of the General Plan (Dana Point 1991a) and the Noise Standards of the Dana Point Municipal Code (Dana Point 2022c). Although the construction activity would be audible to some of the nearby residences, it would occur during the least noise-sensitive parts of the day. In accordance with all local guidelines stipulated by the City, the noise generation would not be considered substantial or adverse.

Removal and disposal of demolition materials and other construction waste during construction would comply with the regulates of the City's Municipal Code.

There would be no impacts to any public services or utilities during construction or long-term operation. During construction, the contractor shall provide and maintain traffic control devices in accordance with the Project's traffic control plan and as directed by the City's representatives. Construction would not affect Coast Highway or the railroad tracks. All nearby roads and railways would remain open during the Project.

Scenic Highways: The Project would not result in damage to scenic resources due to the surrounding urban environment and topography of the land. Interstate (I) 5 and State Route (SR) 1 are near the Project site but are not Officially Designated State scenic highways; however, they are categorized as eligible State scenic highways (Caltrans 2022a, Caltrans 2022b). Construction equipment would not be visible by motorists traveling on I-5 or SR-1, which are located approximately 0.15 miles south and 0.85 miles to the east, respectively. The Project construction would not create a significant impact of public views or scenic opportunities.

Hazardous Waste Site: The Project site is not located on a site that is included on a list of hazardous materials sites compiled pursuant to Section 65962.5 of the *California Government Code* (i.e., Cortese List) (CalEPA 2022). A search was conducted in the Department of Toxic Substances Control's (DTSC) EnviroStor database which revealed no hazardous sites in Dana Point.

Historical Resources: Based on review of the *City of Dana Point Historic Resources Inventory Update Survey Report*, the Project site is not identified as a listed or eligible historic resource (ARG 2016).

## REFERENCES

- Architectural Resources Group (ARG). 2016 (January 12). *City of Dana Point Historic Resources Inventory Update Survey Report*. Pasadena, CA: ARG; <https://www.danapoint.org/home/showdocument?id=23871>.
- California Department of Transportation (Caltrans). 2022a (December 20, last accessed). List of Eligible and Officially Designated State Scenic Highways (.xlsx download). Sacramento, CA: Caltrans. <https://dot.ca.gov/programs/design/lap-landscape-architecture-and-community-livability/lap-liv-i-scenic-highways>.
- California Department of Transportation (Caltrans). 2022b (December 20, last accessed). State Scenic Highway Map. Sacramento, CA: Caltrans. <https://dot.ca.gov/programs/design/lap-landscape-architecture-and-community-livability/lap-liv-i-scenic-highways>.
- California Environmental Protection Agency (CalEPA). 2022 (December 20, last accessed). Cortese List Data Resources, List of Hazardous Waste and Substances sites from Department of Toxic Substances Control (DTSC) EnviroStor database. Sacramento, CA: CalEPA. <https://calepa.ca.gov/sitecleanup/corteselist/>.
- Dana Point, City of. (2022a). (August 2, last accessed). Community Development, Planning, Environmental Documents: Dana Point, CA: Dana Point. <https://www.danapoint.org/department/community-development/planning/environmental-documents>.
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- Dana Point, City of. (1991a, July 9). City of Dana Point – General Plan. Noise Element. Dana Point, CA: Dana Point. <http://www.danapoint.org/i-want-to-/general-plan>.
- Dana Point, City of. (1991b, July 9). City of Dana Point – General Plan. Public Facilities/ Growth Management Element. Dana Point, CA: Dana Point. <http://www.danapoint.org/i-want-to-/general-plan>.

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U.S. Fish and Wildlife Service (USFWS). 2022 (August 2, access date). Critical Habitat for Threatened and Endangered Species. Washington, D.C.: USFWS. <https://fws.maps.arcgis.com/home/webmap/viewer.html?webmap=9d8de5e265ad4fe09893cf75b8dbfb77>.