

**Notice of Exemption**

**Appendix E**

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

From: (Public Agency): Lebec County Water District  
PO Box 910/ 323 Frazier Mountain Park Road  
Lebec, CA 93243

County Clerk  
County of: Kern  
1115 Truxtun Avenue  
Bakersfield, CA 93301

(Address)

Project Title: Krista Mutual Water Company Fluoride Mitigation Project

Project Applicant: Krista Mutual Water Company

Project Location - Specific:

Approx 1 mile west of Interstate 5 (I-5) and 2 miles northwest of unincorporated Lebec

Project Location - City: Lebec (unincorporated) Project Location - County: Kern

Description of Nature, Purpose and Beneficiaries of Project:

**See Attached**

Name of Public Agency Approving Project: Lebec County Water District

Name of Person or Agency Carrying Out Project: \_\_\_\_\_

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: Class 1 15301 (d); Class 2 15302 (c); Class 3 15303 (d) Class 19 15319 and Class 20 15320 (a)
- Statutory Exemptions. State code number: \_\_\_\_\_

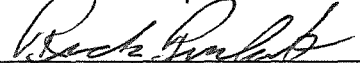
Reasons why project is exempt:

**See Attached**

Lead Agency  
Contact Person: Rick Puckett Area Code/Telephone/Extension: (661) 248-6872

**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:  Date: 11-29-2022 Title: Board President

■ Signed by Lead Agency    Signed by Applicant

Authority cited: Sections 21083 and 21110, Public Resources Code.  
Reference: Sections 21108, 21152, and 21152.1, Public Resources Code.

Date Received for filing at OPR: \_\_\_\_\_

## **PROJECT DESCRIPTION**

The proposed Project will consist of two phases. Phase 1 will address the mitigation of the fluoride violation for exceeding the maximum contaminant levels, and Phase 2 will consist of the annexation of the Krista Mutual Water Company (KMWC) into Lebec County Water District (LCWD).

Phase 1 will consist of the following items

1. Pipeline connection to LCWD from the end of the LCWD main north along Lebec Road to the KMWC well site.
2. Replacement of existing of existing LCWD pipelines in Lebec Road and Circle Drive. The existing lines are prone to leaking and need to be replaced to provide a reliable source of low fluoride water to KMWC.
3. Addition of a water storage tank at an existing LCWD tank site south of Circle Drive.
4. Blending and booster pump station to blend the higher fluoride water from the KMWC well with the lower fluoride water from LCWD and pump the water up to the KMWC storage tanks.

In order to comply with the Annexation requirements from LCWD Phase 2 will consist of the following items

1. Replacement/rehabilitation of existing KMWC distribution pipelines within Los Padres Estates inside existing rights of way.
2. Remove three of the four KMWC water storage tanks and replace them with a single tank within the boundary of the existing tank site.

The proposed activities as identified in the project description will utilize existing disturbed road right-of-way, upgrading existing facilities with completed developed and/or disturbed land, and the installation of new facilities in previously disturbed area. These activities are necessary for the water provided to the affected communities to meet current standards of public health and safety.

### **Exemptions:**

- Class 1 15301 (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.
- Class 2 15302 (c): Replacement or reconstruction of existing utility systems and/or facilities involving negligible or no expansion of capacity.
- Class 3 15303 (d): Water main, sewage, electrical, gas, and other utility extensions, including street improvements, of reasonable length to serve such construction.
- Class 19 15319: Class 19 consists of only the following annexations- (a) Annexations to a city or special district of areas containing existing public or private structures developed to the density allowed by the current zoning or pre-zoning of either the gaining or losing governmental agency whichever is more restrictive, provided, however, that the extension of utility services to the existing facilities would have a capacity to serve only the existing facilities.
- Class 20 15320: Class 20 consists of changes in the organization or reorganization of local governmental agencies where the changes do not change the geographical area in which previously existing powers are exercised. Examples include but are not limited to (a) Establishment of a

subsidiary district; (b) Consolidation of two or more districts having identical powers; (c) Merger with a city of a district lying entirely within the boundaries of the city.

#### **REASONS WHY PROJECT IS EXEMPT**

A Preliminary Engineering Report was prepared in 2020 for the Project, which identified high levels of fluoride within the water system that exceed drinking water quality standards. The Project is intended to upgrade the water system and augment the water system to reduce the amount of fluoride to below federal and State limits.

Biological surveys and Cultural assessment evaluations were prepared for the Project. These studies confirmed there were no observed biological or known cultural resources that would be impacted or disturbed by the construction and operation of the proposed Project. Construction will be conducted within existing ROW and on previously disturbed land.

The Project will provide clean drinking water for domestic use within a severely disadvantaged community. There is no increase in capacity, demand or connections. As noted, the Project will replace or upgrade the water system and metering system.

The annexation of the KMWC into the LCWD is consistent with the density allowed by the current general plan designation and zoning classification. The extension of utility services to the existing facilities would have a capacity to serve only the existing facilities. There is no anticipated increase in capacity or connections. The annexation would not change the geographical boundary area of the communities being served. The two entities would consolidate into a single district.