

Notice of Exemption

Appendix E

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

From: (Public Agency): Westhaven Community Service
Po Box 2015 Trinidad CA 95570-2015
prosenblatt.wcsd@suddenlinkmail.com

County Clerk
County of: Humboldt
825 5th street #5
Eureka CA 95501

(Address)

FILED
County of Humboldt
Juan P. Cervantes
County Clerk
12-2023-052
03/30/2023
sc

Project Title: Westhaven Emergency Waterline Replacement Project

Project Applicant: Westhaven Community Services District

Project Location - Specific:

Kay/Highland/Kahlstrom/6th/7th Avenues, Tepona & Spring Ln, Haven Wy, Driver Rd

Project Location - City: Westhaven Project Location - County: Humboldt

Description of Nature, Purpose and Beneficiaries of Project:

To address significant water leaks in waterlines installed in the lat 1960's, Westhaven CSD is seeking a Coastal Development Permit to replace approximately 5,650 feet of existing waterlines located in roadways, where construction would be located within the footprint of the existing waterlines.

Name of Public Agency Approving Project: Humboldt County

Name of Person or Agency Carrying Out Project: Westhaven Community Services 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: 15302(c) (Replacement and Reconstruction)
Statutory Exemptions. State code number:

Reasons why project is exempt:

The project is for the replacement of water lines in the same location and for the same purpose as the original lines. The replacement is for existing utility system facilities and involves negligible or no expansion of capacity. None of the exceptions to the exemptions (CEQA Guidelines Section 15300.2) apply to the project. The project is not in an environmentally sensitive habitat area, will not result in a cumulative impact, or significant affect. The project is not located on a scenic highway or listed hazardous waste site. The project will not have an effect on a historical resource.

Lead Agency
Contact Person: Paul Rosenblatt Area Code/Telephone/Extension: 707-677-0798

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: [Signature] Date: March 28th 2023 Title: General Manager

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:

## **BACKGROUND**

**Westhaven Community Services District.** The Westhaven Community Services District (District) was formed to provide water service to the community of Westhaven and has an approximately 0.60 square-mile district boundary located mostly within the Coastal Zone just north of Moonstone Beach and south of Luffenholtz Creek. The Westhaven Mutual Water Company (MWC) petitioned the Humboldt Local Agency Formation Commission (LAFCO) on May 17, 1988, to form the district because the MWC was not eligible to apply for grant funding and to allow the district to establish other ongoing funding sources to support the water service.

The District provides water service to approximately 467 residents through 232 connections of which 229 are residential and 3 are public facility/commercial. The District's water system is comprised of approximately 7.5 miles (39,600 feet) of distribution lines, of which approximately 52% (19,340 feet) consists of 6-inch or 4-inch diameter C-900 PVC pipe, approximately 20% (7,920 feet) consists of 4-inch or 3-inch diameter asbestos cement pipe (AC), approximately 10% (3,690 feet) consists of schedule 40 PVC pipe, and the remaining approximately 19% (7,385 feet) is 2-inch or smaller diameter 53+ year old polyethylene pipe (HDPE). The water mains for the system were originally installed over 53 years ago by the Westhaven Mutual Water Company and are deteriorating in various places; however, approximately 6,475 feet of mains were replaced in 2016 with state grant funding, as described below.

**Trinidad Area Plan.** The Trinidad Area Plan of the Humboldt County Local Coastal Program (TAP) - the Coastal Zone segment within which the District is located has special criteria for the provision of drinking water to parcels within and adjacent to what the TAP refers to as the Westhaven Village Area. Policy 3.21.B.3 applies to the portion planned Rural Village (RV) and prohibits subdivision, requires the demonstration of adequate water supply for the development of existing parcels, including through an agreement with the District, and requires that providers of water service to 20 or more service connections to annually submit to the County Planning Commission a Public Works Plan consisting of a five-year projection of service growth and a specific plan, if any, for system expansion in the following year.

TAP Policy 3.23.B.1, Extension of Services, limits the provision of water service within the Westhaven Village Area to only the number of residential sites and other planned uses which can be developed under the adopted plan. This policy further allows service to be extended outside of the Urban Limit Line only to uses compatible with the TAP, that are solely responsible for the costs associated with the extension of service, that extended services not remove capacity necessary to serve future development on undeveloped lots within the existing serviced areas or degrade fire protection services, and that service extensions conform with resource protection policies. The TAP Land Use Map identifies the "Westhaven Service Area" (which is assumed to correlate to some degree with the Westhaven Village Area described in Policy 3.21.B.3 and 3.23.B.1) includes land planned Rural Village (RV) and Rural Residential (e), 0-1 unit per acre. The Westhaven Service Area is entirely within the District boundary which is within the Coastal Zone, except for three improved parcels located west of Scenic Drive and adjacent to the northwest District boundary. There are 12 Assessor's Parcels within the District boundary that are outside the Westhaven Service Area. At least a portion of each of these parcels is planned RR(c) (0-1 unit per 2 ½ acres), all of these parcels are improved, and two were originally connected to the Westhaven MWC system and now receive water service from the District.