

RESOLUTION NO. 2024-01

RESOLUTION OF THE BOARD OF DIRECTORS OF THE OLIVENHAIN MUNICIPAL WATER DISTRICT MAKING FINDINGS FOR THE RANCHO SANTA FE ROAD LEAK REPAIR PROJECT AND ORDERING A NOTICE OF EXEMPTION FILED WITH THE COUNTY CLERK, COUNTY OF SAN DIEGO AND THE STATE CLEARINGHOUSE AT THE GOVERNOR'S OFFICE OF PLANNING AND RESEARCH

WHEREAS, the Olivenhain Municipal Water District is a water agency organized and operating pursuant to California Water Code Section 71000 et seq.; and

WHEREAS, the Olivenhain Municipal Water District owns and operates a 12-inch distribution main C900 polyvinyl chloride (PVC) pipeline constructed in 2000 within a 20-foot wide easement granted to the District located off of Rancho Santa Fe Road in the County of San Diego, State of California. The potable water distribution pipeline is located in Rancho Santa Fe Road and provides high water quality and supply reliability to the residential communities and other customers in the service area of the 437 Zone; and

WHEREAS, on January 4, 2024 OMWD staff noticed water in the roadway on northbound Rancho Santa Fe Road immediately across from the OMWD headquarters. Visual examination and system isolation on January 4, 2024 resulted in the discovery of a leaking valve and corroded bolts on the pipeline, rendering the pipeline susceptible to immediate failure. Staff commenced excavation immediately and executed the repair of the leaking pipe; and

WHEREAS, under the State of California Public Resources Code Sections 21080(b)(2) and California Environmental Quality Act (CEQA) Guidelines Article 18, Sections 15269(b) and (c), the Rancho Santa Fe Road Leak Repair (Rancho Santa Fe) project qualifies as an Emergency Project necessary to maintain service essential to public health and safety and the repair is necessary to prevent an emergency, which statutorily exempts the Rancho Santa Fe project from the provisions of CEQA; and

WHEREAS, CEQA Guidelines Article 18, Section 15282(k) additionally statutorily exempts the maintenance, repair, and restoration of an existing pipeline, as long as the project does not exceed one mile in length and does not involve any above-ground appurtenances; and

WHEREAS, pursuant to the CEQA Guidelines, the Olivenhain Municipal Water District Board of Directors has caused to be prepared a Notice of Exemption according to CEQA Guidelines Article 18, Section 15062; and

WHEREAS, having heard, considered, and reviewed information from interested persons who expressed their views to the Board of Directors, it is in the interest of the Olivenhain Municipal Water District and the people it serves to order a Notice of Exemption filed with the County Clerk, County of San Diego and the State Clearinghouse at the Governor's Office of Planning and Research; and

NOW, THEREFORE, the Board of Directors of the Olivenhain Municipal Water District does hereby find, determine, resolve and order as follows:

RESOLUTION NO. 2024-01 *continued*

SECTION 1: The foregoing facts are found and determined to be true and correct.

SECTION 2: In accordance with the California Environmental Quality Act Guidelines Section 15061, the Board of Directors finds and determines that the Rancho Santa Fe Road Leak Repair project is exempt from CEQA for the following reasons:

- 1) California Public Resources Code Section 21080(b)(2) allows for Emergency repairs to public service facilities necessary to maintain service.
- 2) CEQA Guidelines Article 18, Section 15269(b) statutorily exempts emergency repairs to publicly or privately owned service facilities necessary to maintain service essential to the public health, safety or welfare.
- 3) CEQA Guidelines Article 18, Section 15269(c) statutorily exempts specific actions necessary to prevent or mitigate an emergency.
- 4) CEQA Guidelines Article 18, Section 15282(k) statutorily exempts the installation of new pipeline or maintenance, repair, restoration, removal, or demolition of an existing pipeline as long as the project does not exceed one mile in length and does not involve any above-ground appurtenances.

SECTION 3: The Board of Directors of the Olivenhain Municipal Water District hereby finds and determines that immediate action is required to repair a portion of the Rancho Santa Fe Road Pipeline which is vital to the provision of potable water and fire service to the residents and other customers in the 437 Zone. For this reason, the Board of Directors of the District finds that an emergency exists within the meaning of Public Resources Code Section 21080(b)(2) requiring the commencement of immediate emergency repair work to the Rancho Santa Fe Road Pipeline to ensure potable water and fire service is maintained to existing customers.

SECTION 4: The Board of Directors of the Olivenhain Municipal Water District hereby directs staff to promptly file a Notice of Exemption with the County Clerk of the County of San Diego and the State Clearinghouse at the Governor’s Office of Planning and Research stating that the project is exempt from the reporting requirements of CEQA in accordance with Public Resources Code Sections 21080(b)(2) and CEQA Guidelines Sections 15269(b) and (c), and 15282(k), and to immediately commence all work repair necessary to the Rancho Santa Fe Road Pipeline as quickly as possible.

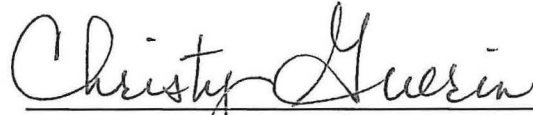
PASSED, ADOPTED AND APPROVED at a regular meeting of the Board of Directors of the Olivenhain Municipal Water District held on Wednesday, January 17, 2024.

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Christy Guerin, President
Board of Directors
Olivenhain Municipal Water District

ATTEST:



Lawrence A. Watt, Secretary
Board of Directors
Olivenhain Municipal Water District