

CJFW #44.03152024-077

CITY OF SANTA CRUZ

# Notice of Exemption

RECEIVED  
 CLERK OF THE BOARD  
 MAR 15 2024  
 BOARD OF SUPERVISORS  
 COUNTY OF SANTA CRUZ

To:  Clerk of the Board  
 County of Santa Cruz  
 Governmental Center  
 701 Ocean Street  
 Santa Cruz, CA 95060

Office of Planning and Research  
 1400 Tenth Street, Room 121  
 Sacramento, CA 95814

070-24

From: City of Santa Cruz Water Department, 212 Locust Street, Suite C, Santa Cruz, CA 95060

Project Title: U4 Tank Replacement Project

Project Address: Empire Grade, between Heller Drive and Cave Gulch  
Santa Cruz, CA 95060

Assessor's  
Parcel No.: 062-041-49

City of: NA

County of: Santa Cruz

**Project Description:** The City of Santa Cruz Water Department (SCWD) is proposing to replace the existing 400,000 gallon potable water steel storage tank known as University Reservoir No. 4 (U4 tank) that serves the University of California Santa Cruz (UCSC) campus and local westside City of Santa Cruz customers. The Project includes decommissioning and removal of the existing storage tank and construction of a new steel storage tank of the same capacity on the existing foundation. To meet system demands for the University and protect water supply pumps while the main reservoir is being replaced, a 45,000 gallon maintenance tank and a 1,500 gallon surge pressure vessel will be installed. The project also includes pump control upgrades and fire hardening of the roof of the U6 pump station which is located at the same site. Maintenance work at the site will include replacing fencing and existing drainage infrastructure, adding new level spreaders for each drainpipe, and installing new curb and gutter. Maintenance of the quarter mile access road will include minor resurfacing and repairs. Two road pullouts will be paved, and the full access road will be resurfaced once construction is complete. Minor vegetation management will be performed for site access. UCSC will provide an easement to the City for the facility and the City and UCSC will finalize a work agreement prior to construction.

Name of Person or Agency Carrying Out Project: City of Santa Cruz Water Department

Name of Public Agency Approving Project: City of Santa Cruz

**Exempt Status: (check one)**

- Ministerial Project (Public Resources Code §21080(b)(1); 14 Cal Code Regs §15268).
- Categorically Exempt (14 Cal Code Regs §15301, §15302).
- Declared Emergency (Public Resources Code §21080(b)(3); 14 Cal Code Regs §15269(a)).
- Emergency Project (Public Resources Code §21080(b)(4); 14 Cal Code Regs §15269(b)(c)).
- Statutory Exemption (Code/Section NA).
- The project clearly will not have a significant effect on the environment (14 Cal Code Regs §15061(b)(3)).

**Reasons why project is exempt:**

This project is exempt per CEQA Guidelines Section §15301 – Class 1 (Existing Facilities) “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.” It is also exempt per CEQA Guidelines Section §15302 – Class 2 (Replacement or Reconstruction) categorical exemption. This exemption “consists of replacement or reconstruction of existing structures and facilities where

THIS NOTICE IS FILED AT THE CLERK  
 OF THE BOARD OF SUPERVISORS OFFICE FOR A  
 PERIOD COMMENCING 3/15/2024  
 AND ENDING 4/19/2024

the new structure will be located on the same site as the structure replaced and will have substantially the same purpose and capacity as the structure replaced.”

The Class 1 (Existing Facilities) and Class 2 (Replacement or Reconstruction) exemptions are applicable to the project because the U4 tank and U6 pump station are existing facilities, originally constructed in 1965, and this project will replace the U4 tank with a new tank of the same capacity, including required accessory structures for maintenance, and will restore and rehabilitate deteriorated facilities with negligible or no expansion of existing use. The Project will result in the following:

- Replacement of U4 tank in the same location and with the same foundation, capacity, and function.
- Replacement of underground piping.
- Fire hardening the U6 pump station roof and replacement of pumping control equipment.

The proposed project will also involve the construction of a maintenance tank and a surge pressure vessel within the facility’s developed area. The maintenance tank will allow the U4 tank to meet current industry standards of public health and safety and allow the City to maintain potable water service to UCSC during construction. The surge pressure vessel will provide protection from pressure spikes in the pipelines. The maintenance tank and surge pressure vessel are a negligible expansion of existing use needed to meet modern industry requirements.

Additional minor reconstruction and alterations include replacing fencing and drainage infrastructure, minor repairs and an overlay of the existing access road, and paving about 900 square feet of unpaved surfaces within the fenced facility and 1,300 square feet at two access road pullouts. The installation of a new curb, gutter, catch basins, and a level spreader for each drain pipe will improve site drainage. Except for the installation of level spreaders covering about 200 square feet, all work will be confined to previously disturbed areas. Vegetation management along the access road and adjacent to the facility will include overhead tree limbing for construction access.

Construction activities will be performed using best management practices. The City of Santa Cruz Operations and Maintenance Habitat Conservation Plan is applicable to the project, and the City will follow its provisions to protect flora and fauna and limit erosion from the site.

The exceptions included in CEQA Guidelines §15300.2 have been reviewed and none are applicable to the project. While the site is located within upland critical habitat for California red legged frog, this proposed project has been evaluated for its potential impacts to biological resources, and no aquatic resources, sensitive communities, or other sensitive biological resources (including but not limited to cave dwelling species, plants, amphibians, wood rats, bats, and nesting birds) are anticipated to be impacted by the proposed project. Furthermore, no cumulative impacts or significant effects due to unusual circumstances are anticipated at the project site, and no impacts to scenic highways or historic resources will occur. The site is not included on any list compiled for hazardous waste sites.

**Lead Agency**

**Contact Person:** Heidi Luckenbach **Phone:** (831) 420-5214

**Department:** City of Santa Cruz Water Department **Address:** 212 Locust St., Suite C,  
Santa Cruz, CA 95060

**Signature:**  **Date:** 3/14/2021

Signed by Lead Agency

**Title:** Water Director

Signed by Applicant

**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

Date Received for filing at County Clerk: \_\_\_\_\_

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





State of California - Department of Fish and Wildlife  
**2023 ENVIRONMENTAL DOCUMENT FILING FEE**  
**CASH RECEIPT**  
 DFW 753.5a (REV. 01/01/23) Previously DFG 753.5a

RECEIPT NUMBER:  
 44 —  — \* 077  
 STATE CLEARINGHOUSE NUMBER (if applicable)

SEE INSTRUCTIONS ON REVERSE. TYPE OR PRINT CLEARLY.

|  |                                  |   |
|--|----------------------------------|---|
| LEAD AGENCY<br><b>City of Santa Cruz</b>                                 | LEAD AGENCY EMAIL                | DATE<br><input type="text" value="03/14/2024"/> |
| COUNTY/STATE AGENCY OF FILING<br><input type="text" value="Santa Cruz"/> | DOCUMENT NUMBER<br><b>070-24</b> |   |

PROJECT TITLE

**U4 Tank Replacement Project**

|  |                              |                                     |
|--|------------------------------|-------------------------------------|
| PROJECT APPLICANT NAME<br><b>City of Santa Cruz Water Department</b> | PROJECT APPLICANT EMAIL<br>- | PHONE NUMBER<br><b>831-420-5214</b> |
| PROJECT APPLICANT ADDRESS<br><b>809 Center St. Room 101</b>          | CITY<br><b>Santa Cruz</b>    | STATE<br><b>CA</b>                  |
|  |                              | ZIP CODE<br><b>95060</b>            |

PROJECT APPLICANT (Check appropriate box)

- Local Public Agency  
  School District  
  Other Special District  
  State Agency  
  Private Entity

CHECK APPLICABLE FEES:

- |   |          |                 |
|---|----------|-----------------|
| <input type="checkbox"/> Environmental Impact Report (EIR)  | \$       | <u>0.00</u>     |
| <input type="checkbox"/> Mitigated/Negative Declaration (MND)(ND)   | \$       | <u>0.00</u>     |
| <input type="checkbox"/> Certified Regulatory Program (CRP) document - payment due directly to CDFW         | \$       | <u>0.00</u>     |
| <br>  |          |                 |
| <input checked="" type="checkbox"/> Exempt from fee   |          |                 |
| <input checked="" type="checkbox"/> Notice of Exemption (attach)  |          |                 |
| <input type="checkbox"/> CDFW No Effect Determination (attach)  |          |                 |
| <input type="checkbox"/> Fee previously paid (attach previously issued cash receipt copy)                   |          |                 |
| <br>  |          |                 |
| <input type="checkbox"/> Water Right Application or Petition Fee (State Water Resources Control Board only) | \$850.00 | \$ <u>0.00</u>  |
| <input type="checkbox"/> County documentary handling fee  |          | \$ <u>0.00</u>  |
| <input checked="" type="checkbox"/> Other Receipt #460463   |          | \$ <u>50.00</u> |

PAYMENT METHOD:

- Cash  
  Credit  
  Check  
  Other  
 TOTAL RECEIVED \$ 50.00

|               |   |
|---------------|---|
| SIGNATURE<br> | AGENCY OF FILING PRINTED NAME AND TITLE<br><b>Lori Welch Bettencourt, Administrative Aide</b> |
|---------------|---|



State of California - Department of Fish and Wildlife  
**2023 ENVIRONMENTAL DOCUMENT FILING FEE**  
**CASH RECEIPT**  
 DFW 753.5a (REV. 01/01/23) Previously DFG 753.5a

**NOTICE**

Each project applicant shall remit to the county clerk the environmental filing fee before or at the time of filing a Notice of Determination (Pub. Resources Code, § 21152; Fish & G. Code, § 711.4, subdivision (d); Cal. Code Regs., tit. 14, § 753.5). Without the appropriate fee, statutory or categorical exemption, or a valid No Effect Determination issued by the California Department of Fish and Wildlife (CDFW), the Notice of Determination is not operative, vested, or final, and shall not be accepted by the county clerk.

**COUNTY DOCUMENTARY HANDLING FEE**

The county clerk may charge a documentary handling fee of fifty dollars (\$50) per filing in addition to the environmental filing fee (Fish & G. Code, § 711.4, subd. (e); Cal. Code Regs., tit. 14, § 753.5, subd. (g)(1)). A county board of supervisors shall have the authority to increase or decrease the fee or charge, that is otherwise authorized to be levied by another provision of law, in the amount reasonably necessary to recover the cost of providing any product or service or the cost of enforcing any regulation for which the fee or charge is levied (Gov. Code, § 54985, subd. (a)).

**COLLECTION PROCEDURES FOR COUNTY GOVERNMENTS**

**Filing Notice of Determination (NOD):**

- Collect environmental filing fee or copy of previously issued cash receipt. *(Do not collect fee if project applicant presents a No Effect Determination signed by CDFW. An additional fee is required for each separate environmental document. An addendum is not considered a separate environmental document. Checks should be made payable to the county.)*
- Issue cash receipt to project applicant.
- Attach copy of cash receipt and, if applicable, previously issued cash receipt, to NOD.
- Mail filing fees for CRP document to CDFW prior to filing the NOD or equivalent final approval (Cal. Code Regs. Tit. 14, § 753.5 (b)(5)). The CRP should request receipt from CDFW to show proof of payment for filing the NOD or equivalent approval. Please mail payment to address below made attention to the Cash Receipts Unit of the Accounting Services Branch.

If the project applicant presents a **No Effect Determination** signed by CDFW, also:

- Attach No Effect Determination to NOD *(no environmental filing fee is due)*.

**Filing Notice of Exemption (NOE) (Statutorily or categorically exempt project (Cal. Code Regs., tit. 14, §§ 15260-15265, 15300-15333))**

- Issue cash receipt to project applicant.
- Attach copy of cash receipt to NOE *(no environmental filing fee is due)*.

Within 30 days after the end of each month in which the environmental filing fees are collected, each county shall summarize and record the amount collected on the monthly State of California Form No. CA25 (TC31) and remit the amount collected to the State Treasurer. Identify the remittance on Form No. CA25 as "Environmental Document Filing Fees" per Fish and Game Code section 711.4.

**The county clerk shall mail the following documents to CDFW on a monthly basis:**

- ✓ A photocopy of the monthly State of California Form No. CA25 (TC31)
- ✓ CDFW/ASB copies of all cash receipts (including all voided receipts)
- ✓ A copy of all CDFW No Effect Determinations filed in lieu of fee payment
- ✓ A copy of all NODs filed with the county during the preceding month
- ✓ A list of the name, address and telephone number of all project applicants for which an NOD has been filed. If this information is contained on the cash receipt filed with CDFW under California Code of Regulations, title 14, section 753.5, subdivision (e)(6), no additional information is required.

**DOCUMENT RETENTION**

The county shall retain two copies of the cash receipt (for lead agency and county clerk) and a copy of all documents described above for at least 12 months.

**RECEIPT NUMBER**

- # The first two digits automatically populate by making the appropriate selection in the County/State Agency of Filing drop down menu.
- # The next eight digits automatically populate when a date is entered.
- # The last three digits correspond with the sequential order of issuance for each calendar year. For example, the first receipt number issued on January 1 should end in 001. If a county issued 252 receipts for the year ending on December 31, the last receipt number should end in 252. CDFW recommends that counties and state agencies 1) save a local copy of this form, and 2) track receipt numbers on a spreadsheet tabbed by month to ensure accuracy.

**DO NOT COMBINE THE ENVIRONMENTAL FEES WITH THE STATE SHARE OF FISH AND WILDLIFE FEES.**

**Mail to:**  
 California Department of Fish and Wildlife  
 Accounting Services Branch  
 P.O. Box 944209  
 Sacramento, California 94244-2090