



## MEMORANDUM

**DATE:** March 20, 2025

**To:** Brian Peck, P.E., Senior Project Manager, Project Partners serving South Coast Water District

**FROM:** Pam Reading, Principal Environmental Planner, LSA  
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**SUBJECT:** Class 1 Categorical Exemption for the Proposed Dana Hills Tennis Center Pavement Project in the City of Dana Point, California

LSA is pleased to submit this memorandum in consideration of a Class 1 Categorical Exemption (CE) for the proposed Dana Hills Tennis Center Pavement Project in the City of Dana Point, California.

### PROJECT DESCRIPTION

The South Coast Water District (District) is proposing the Dana Hills Tennis Center Pavement Project (proposed project), which consists of the removal and reconstruction of the asphaltic concrete pavement roadway along Calle de Tennis, the upper and lower parking lots of the Dana Hills Tennis Center, and the Reservoir 5B/Bear Brand Pump Station yard area in the City of Dana Point (City). Refer to Figure 1, Project Location, and Figure 2, Project Site, provided in Attachment A.

Land uses in the vicinity of the project site primarily include recreational and residential uses. The project site is zoned Recreation (REC), Community Facilities (CF), and Residential Multiple Family 14 du/ac (RMF 14) in the City's Zoning Code and is designated as Community Facility (CF), Recreation/Open Space (R/OS), and Residential 7-14 du/ac (RES 7-14) City's General Plan. Surrounding areas are designated as Recreation/Open Space (R/OS), Community Facility (CF), Residential 7-14 du/ac (RES 7-14), and Residential 3.5-7 du/ac (RES 3.5-7) in the City's General Plan and are zoned Residential Multiple Family 14 du/ac (RMF 14), Recreation (REC), Community Facilities (CF), Open Space (OS), and Residential Single Family 7 du/ac (RSF 7) in the City's Zoning Code.

The proposed project includes the removal and reconstruction of the damaged and degraded asphaltic concrete pavement roadway and associated curbs and gutters along Calle de Tennis, the upper and lower parking lots of the Dana Hills Tennis Center, and the Reservoir 5B/Bear Brand Pump Station yard area. The project also includes the installation of new underground piping and conduits in the upper parking lot of the Dana Hills Tennis Center for potential future utility uses. Any future utility improvements would be analyzed under a separate California Environmental Quality Act (CEQA) analysis, and therefore, is not addressed in this CE. The proposed project would not involve the expansion of the use of the District's utility infrastructure or the Dana Hills Tennis Center.

Project construction is expected to occur from June to early September 2025 or from June to early September 2026. Construction activities would result in the disturbance of 48,000 square feet of soil and would require excavation to a maximum depth of 18 inches. Excavation and land disturbance activities would occur within land that was previously disturbed to construct the existing roadway, parking lots, and pump station yard area. The proposed construction activities would be phased and traffic control would be provided to maintain site access and parking for tennis center users, South Coast and Moulton Niguel Water District staff, and supply/vender deliveries.

### **CALIFORNIA ENVIRONMENTAL QUALITY ACT, SECTION 15301, CLASS 1 EXISTING FACILITIES EXEMPTION**

Article 19 of the *State California Environmental Quality Act (CEQA) Guidelines* includes, as required by Public Resources Code (PRC) Section 21084, a list of classes of projects that have been determined not to have a significant effect on the environment and, as a result, are exempt from review under CEQA. This document has been prepared to serve as the basis for compliance with CEQA as it pertains to the proposed project, and to demonstrate that the project would be exempt from environmental review pursuant to Section 15301 of the CEQA Guidelines (Class 1, Existing Facilities), consistent with the provisions of *State CEQA Guidelines* Sections 15301 and 15300.2. Specifically, the information provided herein shows the following:

- a. The project qualifies for an exemption under *State CEQA Guidelines* Sections 15301 (i.e., Class 1) and, as a result, would not have a significant effect on the environment.
- b. The analysis shows there are no exceptions to qualifying for the exemption, as identified in *State CEQA Guidelines* Section 15300.2.

Under *State CEQA Guidelines* Section 15301, a Class 1 exemption is applicable to projects that consist of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing structures and/or facilities, involving negligible or no expansion of use beyond that existing at the time of the lead agency's determination.

The proposed project includes the removal and reconstruction of damaged and degraded asphaltic concrete pavement and the installation of new underground piping and conduits for potential future utility uses. Any future utility improvements would be analyzed under a separate CEQA analysis and are not addressed in this CE. The proposed construction would consist of the repair and maintenance of existing facilities with no expansion beyond the existing condition. The proposed project would be consistent with the existing use of the project site, and the proposed project would rely on, and be accommodated by, the existing infrastructure associated with the project site. Excavation and land disturbance activities would occur within land that was previously disturbed to construct the existing roadway, parking lots, and pump station yard area. The proposed project would remove and reconstruct existing damaged and degraded asphaltic concrete pavement and therefore, would not change the purpose or function of the project site, or result in the addition or expansion of uses associated with the project site. Therefore, the proposed project would not involve any expansion of use beyond the District's existing infrastructure or the Dana Hills Tennis Center.

As the proposed project properly qualifies for an exemption under *State CEQA Guidelines* Section 15301 (i.e., Class 1), the proposed project would not have a significant effect on the environment. Additionally, the following analysis shows there are no exceptions to qualifying for the CE, as identified in *State CEQA Guidelines* Section 15300.2.

## **CALIFORNIA ENVIRONMENTAL QUALITY ACT CATEGORICAL EXEMPTIONS – EXCEPTIONS**

In addition to investigating the applicability of *State CEQA Guidelines* Section 15301 (Class 1) for the proposed project, this memorandum assesses whether any of the exceptions to qualifying for the CE are present. The following analysis compares the criteria of *State CEQA Guidelines* Section 15300.2 (Exceptions) to the proposed project. As described in the analysis below, LSA has determined that none of the exceptions are applicable to the proposed project.

- (a) Location. Classes 3, 4, 5, 6, and 11 are qualified by consideration of where the project is to be located – a project that is ordinarily insignificant in its impact on the environment may in a particularly sensitive environment be significant. Therefore, these classes are considered to apply in all instances, except where the project may impact an environmental resource of hazardous or critical concern where designated, precisely mapped, and officially adopted pursuant to law by federal, state, or local agencies.**

The proposed project does not rely on the specific classes of exemptions 3, 4, 5, 6, and 11 called out at the beginning of exception 15300.2(a). Nonetheless, if this exception were applicable to a Class 1 exemption, the proposed project would still not qualify as an exception to the exemption.

As shown in Figure 1, the entire project site is located within a developed area within the City of Dana Point, which itself is in an urbanized portion of Orange County. The entire project site is asphaltic concrete pavement and there are no structures or vegetation present on the project site. No special-status species are expected to occur on the project site in its existing condition because there is no suitable habitat. The proposed project would not involve the removal of any trees on the project site or in the nearby vicinity and, therefore, would not impact nesting birds. In addition, the proposed project would not result in any impacts to an environmental resource of hazardous or critical concern. Therefore, the exception under *State CEQA Guidelines* Section 15300.2(a) does not apply to the proposed project.

- (b) Cumulative Impact. All exemptions for these classes are inapplicable when the cumulative impact of successive projects of the same type in the same place over time is significant.**

The proposed project includes the removal and reconstruction of damaged and degraded asphaltic concrete pavement and the installation of new underground piping and conduits for potential future utility uses. Any future utility improvements would be analyzed under a separate CEQA analysis and are not addressed in this CE. Any excavation or land disturbance activities would occur within land that was previously disturbed to construct the existing roadway, parking lots, and pump station yard area.

The proposed project would rely on, and be accommodated by, the existing infrastructure associated with the project site. The proposed project does not, in and of itself, result in significant impacts. Additionally, no permanent or long-term effects, such as loss of wetlands or other sensitive natural communities, take of special-status species, increased vehicle trips, or creation of stationary sources of air and noise emissions, would occur as part of the proposed project. The proposed project would also not result in any long-term or growth-inducing impacts. Furthermore, there are no current or reasonably foreseeable projects similar in nature that are proposed in the project area; therefore, there are no project impacts that would be cumulatively considerable in connection with the effects of past projects, the effects of other current projects, or the effects of probable future projects.

Therefore, the proposed project's contributions to potential cumulative impacts would not be cumulatively considerable, and the exception under State CEQA Guidelines Section 15300.2(b) does not apply to the proposed project.

**(c) Significant Effect. A categorical exemption shall not be used for an activity where there is a reasonable possibility that the activity will have a significant effect on the environment due to unusual circumstances.**

No unusual circumstances have been identified in or around the project site that would result in significant environmental impacts. The proposed project includes the removal and reconstruction of damaged and degraded asphaltic concrete pavement and the installation of new underground piping and conduits for potential future utility uses. The scope of work would be limited to the boundaries of the project site. Any excavation or land disturbance activities would occur within land that was previously disturbed to construct the roadway and parking lots. According to the Geotechnical Investigation completed for the proposed project, the proposed construction is geotechnically feasible.<sup>1</sup> The proposed project would implement all recommendations specified in the Geotechnical Investigation completed for the proposed project and therefore would not result in impacts related to geology or soils. No amendments to an adopted planning document would be required for implementation of the proposed project.

Under CEQA, the temporary closure of parking areas is not considered an environmental impact. Available parking for the tennis center users would be temporarily limited during the reconstruction of the damaged and degraded asphaltic concrete pavement within the upper and lower parking lots. However, the proposed construction activities would be phased and traffic control would be provided to maintain site access and limited parking for tennis center users, South Coast and Moulton Niguel Water District staff, and supply/vender deliveries during construction. Once construction activities are complete, all existing available parking would be reopened for use.

Given the urban and developed nature of the project site and the surrounding area, as well as its existing function and use, there is no evidence to indicate that the proposed project would have

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<sup>1</sup> RMA Group. 2024. *Draft Geotechnical Investigation Report for Dana Hills Tennis Center Pavement Project*. March 8.

a significant effect on the environment due to unusual circumstances. Therefore, the exception under State CEQA Guidelines Section 15300.2(c) does not apply to the proposed project.

- (d) Scenic Highways. A categorical exemption shall not be used for a project which may result in damage to scenic resources, including but not limited to, trees, historic buildings, rock outcroppings, or similar resources, within a highway officially designated as a state scenic highway. This does not apply to improvements which are required as mitigation by an adopted negative declaration or certified Environmental Impact Report.**

The proposed project includes the removal and reconstruction of damaged and degraded asphaltic concrete pavement and the installation of new underground piping and conduits for potential future utility uses. The proposed project is approximately 1.4 miles northeast of the Pacific Coast Highway and 1.4 miles northwest of Interstate 5, both of which are designated as eligible State scenic highways.<sup>1</sup> However, the project site would not be visible to travelers on the Pacific Coast Highway or Interstate 5 due to intervening development and topography. Therefore, the proposed project would not result in damage to existing scenic resources. Accordingly, the exception under State CEQA Guidelines Section 15300.2(d) does not apply to the proposed project.

- (e) Hazardous Waste Sites. A categorical exemption shall not be used for a project located on a site which is included on any list compiled pursuant to Section 65962.5 of the Government Code.**

The project site is not included on the California Department of Toxic Substances Control's Hazardous Waste and Substances Site List or any lists compiled pursuant to Section 65962.5 of the Government Code.<sup>2</sup> Therefore, no impacts associated with locating a project on a site included on a list of hazardous materials would occur, and the exception under *State CEQA Guidelines* Section 15300.2(e) does not apply to the proposed project.

- (f) Historical Resources. A categorical exemption shall not be used for a project which may cause a substantial adverse change in the significance of a historical resource.**

The proposed project includes the removal and reconstruction of damaged and degraded asphaltic concrete pavement and the installation of new underground piping and conduits for potential future utility uses. The project site is fully developed and has undergone previous surficial and subsurface disturbance. Ground disturbance associated with the proposed project would occur within the limits of the existing asphaltic concrete pavement and no previously undisturbed land would be impacted by the proposed project. Therefore, the proposed project

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<sup>1</sup> California Department of Transportation (Caltrans). 2018. *California State Scenic Highway System Map*. Website: <https://caltrans.maps.arcgis.com/apps/webappviewer/index.html?id=465dfd3d807c46cc8e8057116f1aaca> (accessed February 6, 2025).

<sup>2</sup> California Environmental Protection Agency. 2025. *Cortese List Data Resources*. Website: <https://calepa.ca.gov/sitecleanup/corteselist/> (accessed February 18, 2025).

would not cause a substantial adverse change in the significance of a historical resource and State CEQA Guidelines Section 15300.2(f) does not apply to the proposed project.

## CONCLUSION

In summary, the proposed project will not result in any specific or general exceptions to the use of a Categorical Exemption as detailed under *State CEQA Guidelines* Section 15301. No potential cumulative impacts or unusual circumstances would occur that may reasonably create an environmental impact. The project site does not have value as habitat for endangered, rare, or threatened species. The proposed project would not result in damage to a scenic resource within a highway designated as a State Scenic Highway. Further, the project site is not on any list compiled pursuant to Section 65962.5 of the Government Code. Additionally, the proposed project would not cause a substantial adverse change in the significance of a historical resource. Therefore, the proposed project is exempt from the provisions of CEQA as specified by the *State CEQA Guidelines* identified above.

Attachments: A: Figures

## **ATTACHMENT A**

### **FIGURES**



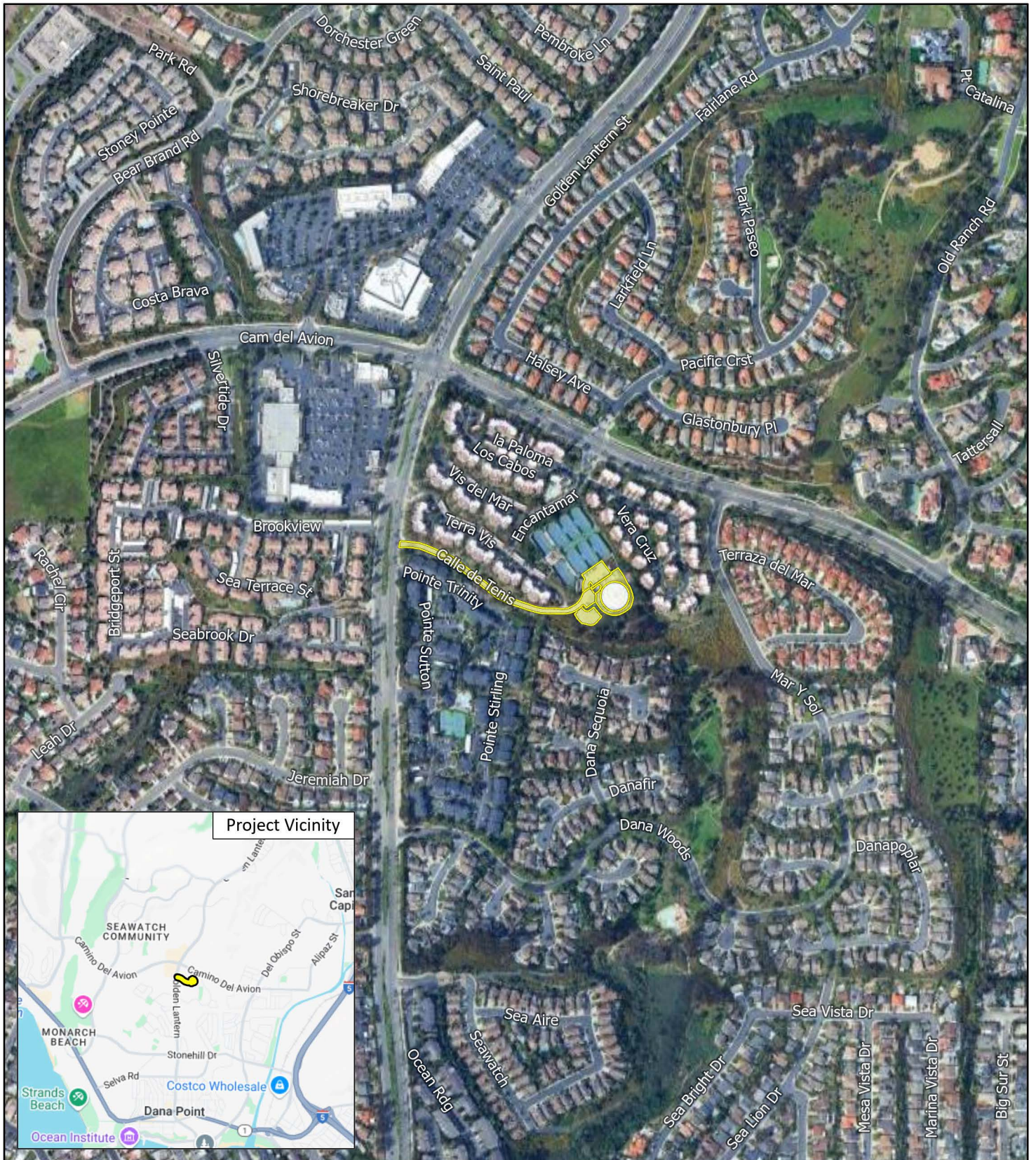


FIGURE 1

LSA

Project Site



0 300 600  
FEET

SOURCE: Google Maps (2024)

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Dana Hills Tennis Center Pavement Project  
Project Location





LSA


 Project Site

FIGURE 2



0 77.5 155  
FEET

SOURCE: Google Maps (2024)

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Dana Hills Tennis Center Pavement Project  
Project Site