

Sunnyslope County Water District Environmental Review Guidelines

9020 Environmental Review Guidelines

ARTICLE I – GENERAL

9020.1 Purposes. These guidelines implement the California Environmental Quality Act of 1970 (CEQA) as amended and ensure that consideration is given to the environmental effects of projects that are subject to CEQA. While CEQA requires that major consideration be given to preventing environmental damage, it is recognized that public agencies have obligations to balance other public objectives including economic and social factors in determining whether and how a project should be approved. Economic information may be included in an environmental impact report (EIR) or may be presented in whatever forms the District desires. The District retains its existing authority to balance environmental objectives with economic and social objectives and to weigh the various long-term and short-term costs and benefits of a project in making the decision to approve or disapprove it.

9020.2 General Implementing Procedures. The regulations contained in Title 14, Division 6, Chapter 3 of the California Code of Regulations are incorporated by reference as if set out in full and shall be applicable, except as modified herein, to these procedures. (14 Code of Cal. Regs. Section 15022(d)).

9020.3 Definitions.

- A. “District” means the Sunnyslope County Water District.
- B. “Board” means the District’s Board of Directors.
- C. Other definitions as found in 14 Code of Cal. Regs. Section 15350, *et seq.*

ARTICLE II - APPLICABILITY

9020.4 Scope of Applicability. These Guidelines apply to all discretionary projects that are carried out, approved, or financed by the District.

9020.5 Statutory Exemptions. In addition to the Statutory Exemptions set forth in 14 Code of Cal. Regs. Section 15260, *et seq.* and the exemptions set forth in Public Resources Code, Division 13, Section 21080, *et seq.*, the District determines the following activities are exempt from the requirements of CEQA and these Guidelines and consequently no environmental documents are required, however the District may prepare and file a Notice of Exemption, as desired.

- A. **Ministerial Projects.** Generally speaking, a ministerial project is one requiring approval by the District as a matter of law, or the use of fixed standards or objective measurements without personal judgment. Examples of such projects include, but are not limited to, individual utility service connections and disconnections, agreements to install in-tract utility facilities to subdivisions, development of which has been approved by other appropriate

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governmental agencies, utility service connections and disconnections to potential customers within such subdivision, and the District's issuance of facility encroachment permits. (14 Code of Cal. Regs. Sections 15268 and 15369).

The decision as to whether or not a proposed project is ministerial in nature, and thus outside the scope of this enactment, shall be made by the District Board on a case-by-case basis or as part of these Guidelines as set forth hereafter.

- B. Emergency Projects.** The following emergency projects: (14 Code of Cal. Regs. Section 15269).
1. Projects to maintain, repair, restore, demolish, or replace property or facilities damaged or destroyed as a result of a disaster in a disaster stricken area in which a state of emergency has been proclaimed by the Governor pursuant to the California Emergency Services Act, commencing with Section 8550 of the Government Code.
 2. Emergency repairs to public service facilities necessary to maintain service.
 3. Specific actions necessary to prevent or mitigate an emergency.
- C. Feasibility and Planning Studies.** A project involving only feasibility or planning studies for possible future actions that the District has not approved, adopted, or funded, does not require the preparation of environmental documentation, but does require consideration of environmental factors. This section does not apply to the adoption of a plan that will have a legally binding effect on later activities. (14 Code Cal. Regs. Section 15262).
- D. Pipelines in Public Right-of-Ways.** A project of less than one mile in length within a public street, highway, or any other public right-of-way for the installation of a new pipeline or the maintenance, repair, restoration, reconditioning, replacement, removal, or demolition of an existing pipeline. A pipeline includes subsurface facilities, but does not include any surface facility related to the operation of the underground facility. (Public Resources Code, Division 13, Section 21080.21).

9020.6 Categorical Exemptions. The Secretary of Resources, State of California has found that specific classes of projects do not have a significant effect on the environment and they are declared to be categorically exempt from the requirement for the preparation of environmental documents. A list of these exemption classes commonly found in District operations, along with the specific activities that the District has found to be within these categorical exemptions follows. The categorical exemptions listed herein are not intended to be, and are not to be construed to be, a limitation of the exemption classes and any activities listed thereunder as set forth in 14 Code Cal. Regs. Section 15300, *et seq.*

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- A. Class I: Existing Facilities.** Operation, repair, maintenance, or minor alteration of all existing District facilities, structures, equipment, or other property of every kind, which activity involves negligible or no expansion or use beyond that previously existing, including, but not limited to:
1. Treated water conveyance and wastewater collection facilities and appurtenant structures;
 2. Water connection facilities, including meter boxes;
 3. Fire hydrants;
 4. Storage reservoirs;
 5. Pump stations;
 6. Treatment plants;
 7. Recreational facilities;
 8. Buildings;
 9. Dams; and
 10. Wells.
- B. Class II: Replacement or Reconstruction.** Replacement or reconstruction of any existing District facilities, structures, or other property, where the new facility or structure will be located on the same site and have substantially the same purpose and capacity as the replaced or reconstructed facility or structure, including but not limited to:
1. Treated water conveyance and wastewater collection facilities and appurtenant structures;
 2. Water connection facilities, including meter boxes;
 3. Fire hydrants;
 4. Storage reservoirs;
 5. Pump stations;
 6. Buildings;
 7. Treatment plants;
 8. Recreational facilities;
 9. Dams and appurtenant structures; and
 10. Wells.

For the purpose of determining the extent of this class exemption for buried pipelines under the water conveyance and wastewater collection facility category, the following shall apply: A replacement of a buried pipeline will be considered as categorically exempt under Class II if the replacement is within 30 feet of the existing pipeline, the nominal inside diameter of the replacement pipe is no larger than the existing pipeline or

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8-inch, whichever is greater, and no substantial clearing of mature trees or bushes is necessary.

C. Class III. New Construction or Conversion of Small Structures. Construction and location of limited numbers of new small facilities or structures; installation of small new equipment and facilities in small structures; and the conversion of existing small structures from one use to another, where only minor modifications are made in the exterior of the structure. Examples of this exemption include, but are not limited to:

1. Raw water conveyance facility appurtenances, including control and measuring structures;
2. Treated water conveyance facility appurtenances, including meter boxes, fire hydrants, blow offs and air release valves; and
3. Water conveyance and wastewater collection facility appurtenances, including water meters, sewer cleanouts, sewer manholes, booster pumps, gate, ball and check valves made in the interior of the structure. Examples of this exemption include but are not limited to valves, blow offs, valve boxes, etc.

D. Class IV: Minor Alterations to Land. Minor alterations in the condition of land, water, and/or vegetation, which do not involve removal of mature scenic trees, including but not limited to:

1. Small water diversion facilities;
2. Grading on land with a slope of less than ten percent (10%), except that grading shall not be exempt in a waterway, in any wetland, in an officially designated (by federal, state or local governmental action) scenic area, or in officially mapped areas of severe geologic hazard;
3. New gardening or landscaping, but not including tree removal;
4. Filling of earth into previously excavated land with material compatible with the natural features of the site;
5. Minor alterations in land, water, and vegetation on existing officially designated wildlife management areas, or fish production facilities, that result in improvement of habitat for fish and wildlife resources or greater fish production;
6. Minor temporary uses of land having negligible or no permanent effects on the environment; or,
7. Maintenance dredging where the spoil is deposited in a spoil area authorized by all applicable state and federal agencies.

E. Class V: Information Collection. Basic data collection, research, experimental management and resource evaluation activities, which do not result in a serious or major disturbance to an environmental resource. These activities may be undertaken strictly for

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information-gathering purposes or as part of a study leading toward the undertaking of a project.

- F. Class VI: Inspection.** Inspection activities including, but not limited to, inquiries into the performance of an operation, and examination of the quality, health or safety of a project.
- G. Class VII: Accessory Structures.** The construction or placement of minor structures accessory to, or appurtenant to, existing commercial, industrial, or institutional facilities, including small parking lots.
- H. Class VIII: Surplus Government Property Sales.** Sales of surplus government property except for parcels of land located in an area of statewide interest or potential area of critical concern as identified in 14 Code Cal. Regs. Section 15206. However, if the surplus property to be sold is located in any of those areas, even its sale is exempt if:
1. The property does not have significant values for wildlife habitat or other environmental purposes; and,
 2. Any of the following conditions exist:
 - (a) The property is of such size or shape that it is incapable of independent development or use, or
 - (b) The property to be sold would qualify for an exemption under any other class of categorical exemption in Section 6 of these Guidelines, or
 - (c) The use of the property and adjacent property has not changed since the time of purchase by the District.
- I. Class IX: Annexations of Existing Facilities and Lots for Exempt Facilities.** The following annexations:
1. Annexations to the 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.
 2. Annexations of individual small parcels of the minimum size for facilities exempted by Class III, New Construction, or Conversion of Small Structures.
- J. Class X: Changes in Organization of the District.** Changes in the organization or reorganization of the District, where the changes do not modify the geographical area in which previously existing powers are exercised. Examples include but are not limited to:
1. Establishment of an improvement district;
 2. Consolidation of two or more districts having identical powers; and

