Brelje & Race
CONSULTING ENGINEERS

M E M O R A N D U M

TO: Ray Lunardi
Occidental Community Services District

FROM: Justin Witt

SUBJECT: OCSD Permit 21214 for Diversion of Use of Water, Petition for Extension of Time
Addendum to the 2001 OCSD Water Project Connection to Camp Meeker System
Initial Study/Mitigated Negative Declaration
State Clearinghouse Number 2001032053
B&R File No. 4210.00

DATE: September 20, 2023

OVERVIEW

Consistent with the California Environmental Quality Act (CEQA), the Occidental Community Services District (OCSD) prepared an Initial Study/Mitigated Negative Declaration (IS/MND) in 2001 to assess potential environmental impacts with its proposed Water Project Connection to Camp Meeker System project. Briefly, the project included construction of a well, transmission mains, intertie with the existing Camp Meeker water system and application for a water right to the State Water Resources Control Board, Division of Water Rights (DWR). The new well (Well 01) was constructed in 2005. OCSD shares the existing Camp Meeker water transmission main from the well field to the communities.

An Addendum to the 2001 IS/MND is required for compliance with the water permit application, as will be described below. This Addendum is being prepared for the project to accommodate the extended time required to fully utilize the water permit and to assess potential environmental impacts associated with that extension. It provides a background of the water right status, updated project description and an environmental analysis of areas potentially affected by the Extension of Time request.

WATER RIGHTS STATUS

The application (Application 31257) to DWR was filed on December 13, 2001. A Permit for Diversion and Use of Water (Permit 21214) was issued by DWR on April 18, 2008.

Permit 21214 contains restrictions on the use of water (Terms) that are relevant to this Addendum. Term 5 sets use limitations, Term 6 sets time limitations and Term 13 prohibits diversions during certain flows and seasons, as shown below.

- Term 5: The water appropriated shall be limited to the quantity that can be beneficially used and shall not exceed 0.16 cubic foot per second [72 gallons per minute] to be diverted from

January 1 to December 31 of each year. The maximum amount diverted under this permit shall not exceed 65 acre-feet per year.

- Term 6: Construction work and complete application of the water to the authorized use shall be prosecuted with reasonable diligence and completed by December 31, 2021.
- Term 13: During the period November 1 through June 30, Permittee shall cease diversion of water under this permit whenever the flow in the Russian River measured at U.S.G.S. Gaging Station No. 11467000 near Guerneville is less than 140 cubic feet per second.

Term 13 presents challenges to OCSD's ability to provide its customers with water during those conditions. To address this, OCSD entered into an agreement with the Sonoma County Water Agency (Sonoma Water) and Camp Meeker to allow OCSD to utilize water from Sonoma Water's permit when it is not allowed to divert water under Permit 21214 during defined periods. This agreement is renewed annually. Sonoma Water is in the process of adding the Point of Diversion (POD) associated with Permit 21214 to their existing water right and will then extend the agreement at 40-year intervals. This is discussed further in the 2023 CEQA Checklist section of this Addendum.

Term 6 set 2021 as the year OCSD was to realize the authorized use of the 0.16 cubic feet per second to convert Permit 21214 to license. OCSD has not yet met that threshold and, due to minor changes in the community development, OCSD filed for an Extension of Time on December 29, 2021. The Extension of Time would allow OCSD until December 31, 2031, to put the 0.16 cubic feet per second to beneficial use prior to converting Permit 21214 to license.

The Extension of Time request is the basis for this Addendum, both the need for and environmental issues assessed herein.

ORIGINAL PROJECT DESCRIPTION

The 2001 IS/MND project description for the project stated (relevant portion underlined):

> A well of approximately 90 feet would be drilled near the site of the existing Camp Meeker well, on land owned by Camp Meeker Recreation and Park District. The source of water is the underflow of the Russian River. The well casing would be sealed at a depth of 50 feet to prevent contamination. A 20 horsepower (HP) pump would be installed in the well. The pump would be designed to pump approximately 70 gallons per minute (gpm). The well would be located approximately 50 feet from the existing well, a distance that would prevent drawdown.
>
> <u>The project includes an application to the State Department of Water Resources (DWR) for an allocation of 70 gpm, and a petition to the Sonoma County Water Agency for an interim allocation until permanent rights are obtained. Occidental's peak water use is estimated at 60 gpm.</u>
>
> From the connection at Hampton Road, the new main would be located primarily within the existing right-of-way. The proposed booster pump station would also be located within existing right-of-ways.

All construction activities would be limited to the existing right-of-way. Materials used for construction of the pipeline would be imported to the site. Disposal material would be hauled offsite to an approved site.

PROJECT DESCRIPTION ADDITIONS

Since the 2001 IS/MND, OCSD has completed the physical improvements associated with the project, applied for a water right (Application 31257), been granted Permit 21214 and entered into an agreement with Sonoma Water to appropriate water under Sonoma Water's water rights to meet limitations associated with Term 13. An Extension of Time was filed to comply with Term 6 of Permit 21214. The Extension of Time was not described in the 2001 IS/MND and is being added to the original project description through this Addendum.

The original project description indicated Occidental's peak water use was 60 gpm. The data provided with the application for Extension of Time indicated average flow during the peak month of approximately 27,200 gallons per day. Using a peaking factor of 1.45, the maximum day demand is approximately 39,500 gallons per day or 27 gpm (0.06 cfs). The extension of time is requested because past data is not likely representative of future demands. A large commercial customer, the Union Hotel, is currently served both by its own public water system and OCSD. The Union Hotel has used little to no water from OCSD in recent years but could start using their OCSD connection at any time.

An update to OCSD's 2008 Source Capacity Planning Study was prepared in 2016 by Brelje & Race[1]. The 2016 study estimated the maximum day demand of OCSD's existing customer base was slightly over 50,300 gallons per day or 35 gpm (0.08 cfs). This estimate included Union Hotel demands to account for the possibility that they may abandon their public water system and be served solely by OCSD. The calculated buildout maximum day demand was 57,800 gallons per day or 40 gpm (0.09 cfs). Due to OCSD's unchanged service area and General Plan land uses, this maximum day demand at buildout is still considered appropriate.

It is unlikely that the 72 gpm allowance contained in Term 5 will be realized. However, it would not be appropriate to convert Permit 21214 to a license until past data reflects the total potential demands of the service area, including Union Hotel.

CEQA REVIEW BACKGROUND

The original IS/MND was prepared and circulated for public comment in 2001. The Notice of Determination was filed with the State Clearinghouse on April 18, 2001. The State Clearinghouse number is 2001032053.

ADDENDUM TO THE 2001 IS/MND

Since the 2001 environmental review, OCSD has determined the need to extend the timeline stipulated in Term 6 and has filed an Extension of Time with DWR. As part of its review authority, DWR requires an updated CEQA review, primarily focused on the potential Extension of Time's potential to increase water diversions.

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1 Occidental Community Services District, Response to Citation 02-18-16C-009 (update of the 2008 Source Capacity Planning Study) Memorandum. Brelje & Race. June 30, 2016 (revised July 28, 2016).

Because the Extension of Time was not originally included in the IS/MND and because the changes in the project descriptions are minor in scope, this Addendum has been prepared to assess any potentially significant impacts associated with the Extension of Time. An Addendum is defined by CEQA as follows (emphasis added):

> 15164. Addendum to an EIR or Negative Declaration
>
> (a) The lead agency or responsible agency shall prepare an addendum to a previously certified EIR if some changes or additions are necessary but none of the conditions described in Section 15162 calling for preparation of a subsequent EIR have occurred.
>
> (b) An addendum to an adopted negative declaration may be prepared if only minor technical changes or additions are necessary or none of the conditions described in Section 15162 calling for the preparation of a subsequent EIR or negative declaration have occurred.
>
> (c) An addendum need not be circulated for public review but can be included in or attached to the final EIR or adopted negative declaration.
>
> (d) The decision making body shall consider the addendum with the final EIR or adopted negative declaration prior to making a decision on the project.
>
> (e) A brief explanation of the decision not to prepare a subsequent EIR pursuant to Section 15162 should be included in an addendum to an EIR, the lead agency's findings on the project, or elsewhere in the record. The explanation must be supported by substantial evidence.

An Addendum is appropriate here due to the small scale of the proposed project additions, limited potential environmental impacts (as described in this Addendum) and their integrated nature with the project objective of providing adequate water service in the project area.

Section 15164 (b) specifically indicates an Addendum may be prepared for minor technical changes or additions if conditions in Section 15162 do not exist requiring a subsequent Negative Declaration, as described below:

> 15162. Subsequent EIRs and Negative Declarations
>
> (a) When an EIR has been certified or a negative declaration adopted for a project, no subsequent EIR shall be prepared for that project unless the lead agency determines, on the basis of substantial evidence in the light of the whole record, one or more of the following:
>
> > (1) Substantial changes are proposed in the project which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;
> >
> > (2) Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR or Negative Declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or
> >
> > (3) New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous

EIR was certified as complete or the Negative Declaration was adopted, shows any of the following:

(A) The project will have one or more significant effects not discussed in the previous EIR or negative declaration;

(B) Significant effects previously examined will be substantially more severe than shown in the previous EIR;

(C) Mitigation measures or alternatives previously found not to be feasible would in fact be feasible, and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or

(D) Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.

(b) If changes to a project or its circumstances occur or new information becomes available after adoption of a negative declaration, the lead agency shall prepare a subsequent EIR if required under subdivision (a). Otherwise the lead agency shall determine whether to prepare a subsequent negative declaration, an addendum, or no further documentation.

In this case, none of the situations described in Section 15162 (a) exist, as described in this Addendum. While the project additions do include a change to the project, they do not meet the criteria defined in Section 15162 (a). The 2001 IS/MND identified potential impacts and mitigation measures germane to such water projects and the overall project location characteristics. As discussed in this Addendum, impacts associated with the Extension of Time are primarily related to water resources and biology within the Russian River at and below the POD. Existing policy documents discussed herein ensure those potential impacts are reduced to a level of less than significant. No new or significant environmental effects, no substantial changes to circumstances or to previously identified significant effects, no significant revisions to mitigation measures and no new mitigation measures or alternatives would be associated with the Extension of Time. As described in Section 15162 (b), the Lead Agency has determined that an Addendum, consistent with Section 15164, is the appropriate course to address potential environmental impacts associated with the project changes.

2023 CEQA CHECKLIST ANALYSIS OF PROPOSED PROJECT CHANGES

The following sections assess the proposed additional project elements according to the checklist contained in the 2023 Guidelines and the degree to which, if any, they would change the findings of the IS/MND.

I. Aesthetics

The 2001 IS/MND did not identify any potentially significant impacts associated with aesthetics. All project components that altered aesthetic resources have since been constructed. No new impacts to aesthetics would occur from the Extension of Time and the 2001 IS/MND findings remain valid. None of the situations described in Section 15162 exist that would require preparation of a Subsequent MND.

II. Agriculture and Forestry Resources

The findings contained in the 2001 IS/MND remain valid. The original project did not impact agriculture or forestry resources and the Extension of Time would not impact agricultural or forestry resources. None of the situations described in Section 15162 exist that would require preparation of a Subsequent MND.

III. Air Quality

The 2001 IS/MND included discussion of potential air quality impacts and found potential construction-related impacts could occur but be mitigated to a level of less than significant. Those project elements occurred during construction of the project. No construction is associated with the Extension of Time beyond that of potential buildout of the service area, assessed by the County's General Plan. The findings contained in the 2001 IS/MND remain valid, and no new impacts would be associated with the Extension of Time. None of the situations described in Section 15162 exist that would require preparation of a Subsequent MND.

IV. Biological Resources

The Biological Resources section of the 2001 IS/MND was focused on the physical improvements associated with the project. Mitigation was provided to minimize construction-related impacts to biological resources. The project's physical improvements have been completed and Application 31257 was granted through issuance of Permit 21214 in 2008.

The Extension of Time introduces the potential for additional water diversion and associated potential impacts to Russian River habitat and species it supports. There are several policy documents and permit conditions that regulate OCSD's withdrawals at the POD that alleviate this concern, as indicated below.

- Term 13 of Permit 21214 specifies that water diversions from the POD shall cease during low flow (140 cfs) between November 1 and June 30.
- The Final Lake or Streambed Alteration Agreement (Notification 1600-2016-0223-R3, issued December 23, 2016) applies to the OCSD POD and contains permit term 2.2: Bypass Flows. Diversion of water from the POD between November 1 and June 30 shall not occur until flow exceeds 140 cfs. When flow is greater than 140 cfs, diversion of water shall not exceed a rate of 0.16 cfs (72 gallons per minute) at any time. Diversion of water from the POD between July 1 and October 31 shall not occur until flow exceeds 85 cfs. When flow is greater than 85 cfs, diversion of water shall not exceed a rate of 0.16 cfs (72 gallons per minute) at any time."
- The Order Approving Issuance of a Permit for Application 31257, issued by DWR (April 18, 2008) includes the finding that "Water will be diverted and used without unreasonable effect upon fish, wildlife, or other instream beneficial uses. State Water Board Decisions 1030 and 1610 established minimum flow requirements for the Russian River. These minimum flow requirements are implemented through terms contained in Permits 12947A, 12949, 12950 and 16596, which are held by the Sonoma County Water Agency (SCWA). The minimum flow requirements were established, in part, to protect instream beneficial uses including fish, wildlife, and recreation. Unappropriated water is available for Application 31257 and diversion of water under any permit issued pursuant to Application 31257 will not cause flow in the Russian River to drop below levels established for the protection of instream beneficial uses."

- Related to Permit 21214, on June 23, 2020, DWR prepare a memorandum related to the Policy for Maintaining Instream Flows in Northern California Coastal Streams (Policy) to determine its applicability to a petition to correct the OCSD place of Use. The memo found that "The Russian River is a flow-regulated mainstem river, with scheduled releases from storage by the Sonoma County Water Agency (SCWA) to meet minimum instream flow requirements as established by State Water Board Decision 1610 (D-1610). The minimum instream flow requirements were developed to protect, preserve, and enhance fish and wildlife, and recreational resources within the Russian River. Permit 21214 also includes diversion restrictions based on the minimum instream requirements for the Russian River established by D-1610." With regard to the anticipated buildout water demand, DWR found that "the water demand for OCSD at build-out will be 5 acre-feet per year more than the existing use of 33 acre-feet per year, which equates to an ultimate diversion rate of 0.09 cfs (40 gallons per minute) compared to the existing diversion rate of 0.08 cfs (35 gallons per minute). The modification to the place of use resulting in a potential ultimate increase in use of 5 acre-feet or 0.01 cfs of water will not impair instream beneficial uses in the Russian River as diversions under Permit 21214 are subject to bypass limitations SCWA's instream flow requirements in D-1610 and Permit 21214 contains diversion limitations based on SCWA's instream flow requirements."

During flow period restrictions when OCSD would be prohibited from diverting water under Permit 21214, OCSD would utilize its agreement with Sonoma Water. Sonoma Water has a combined amount of direct diversion and re-diversion authorized under the Water Agency's four permits (12947A, 16596, 12949, and 12950) is limited to no more than 180 cfs (116.3 mgd) and 75,000 acre-feet per water year.

Sonoma Water has operated its releases from Lake Mendocino and Lake Sonoma consistent with the State Water Resources Control Board Decision 1610, adopted in 1986, that established minimum instream flow requirements in the Russian River. Decision 1610 was established prior to the listing of the three salmonid species on the Federal Endangered Species Act (ESA) in the watershed and established flows that have subsequently been determined to be higher than those beneficial to the three species.

The National Marine Fisheries Service (NMFS) has jurisdictional authority over aquatic species listed on the ESA. In 2008, NMFS issued the Biological Opinion for Water Supply, Flood Control Operations, and Channel Maintenance conducted by the U.S. Army Corps of Engineers, the Sonoma County Water Agency, and the Mendocino County Russian River Flood Control and Water Conservation Improvement District in the Russian River Watershed (Biological Opinion). The Biological Opinion has directed flow revisions to Decision 1610 that include the following:

- During Normal Years:
    - Reduce the minimum flow requirement for the Russian River from the East Fork to Dry Creek from 185 cfs to 125 cfs between June 1 and August 31; and from 150 cfs to 125 cfs between September 1 and October 31.
    - Reduce the minimum flow requirement for the Russian River between the mouth of Dry Creek and the mouth of the Russian River from 125 cfs to 70 cfs.
    - Reduce the minimum flow requirement for Dry Creek from Warm Springs Dam to the Russian River from 80 cfs to 40 cfs from May 1 to October 31.

- During Dry Years:
    - Reduce the minimum flow requirement for the Russian River between the mouth of Dry Creek and the mouth of the Russian River from 85 cfs to 70 cfs.

Sonoma Water is in the process of amending its water right permits to allow operations to comply with the Biological Opinion. Sonoma Water has prepared a Draft Environmental Impact Report[2] (Draft EIR) for a project to amend its water rights and modify on-going operations of the Russian River to be beneficial to the listed salmonids. The EIR indicates the project includes the following five components:

- amendments of the Water Agency's water right permits to replace the existing hydrologic index (which is based primarily on Lake Pillsbury inflows) with the new Russian River Hydrologic Index;
- changes to the minimum instream flow requirements in these permits to improve rearing habitat conditions for juvenile steelhead and coho salmon;
- changes to these minimum instream flow requirements to improve conditions for fall-run Chinook salmon migration;
- extending the deadlines for completing full beneficial use in these permits to December 31, 2040, and
- adding the Occidental Community Services District and Town of Windsor points of diversion and re-diversion to the authorized points of diversion in these permits.

With regard to the OCSD POD, the Draft EIR indicates that: "The addition of the Occidental CSD's point of diversion would add one new point of diversion and re-diversion to the Water Agency's water right permits. Occidental CSD is currently provided water through an agreement with Camp Meeker Recreation and Park District. The SWRCB authorization of the petition would result in the Water Agency's agreement with Occidental CSD becoming effective and would allow Occidental CSD to take and the Water Agency to provide water to the Occidental CSD under the Water Agency's Permits 16596, 12947A, 12949, and 12950."

It is unclear when Sonoma Water will complete the environmental review process. Ongoing discussions with NMFS, CDFW and the State Water Resources Control Board have delayed certification but are being pursued to ensure water resources are equitably available to Sonoma Water customers, other watershed water rights holders and that flows are maintained to benefit the natural environment and its species.

With the Extension of Time, OCSD would still be subject to Term 13 to ensure minimum bypass flows are maintained that are protective of endangered species. Regarding reliance on water provided via the agreement with Sonoma Water (whether directly through Sonoma Water or with Camp Meeker as an intermediary), Sonoma Water's permits are constrained by the Biological Opinion to be protective of the listed species and establish flows through on-going consultation with NMFS and waiver from Decision 1610, consistent with the Biological Opinion. OCSD's Extension of Time

2 *Fish Habitat Flows and Water Rights Project Draft Environmental Impact Report*. Sonoma County Water Agency. August 2016.

request will not alter Sonoma Water's management of minimum bypass flows that are beneficial to the listed species.

The biological resources findings contained in the 2001 IS/MND remain valid, and no new impacts associated with the Extension of Time have been identified. None of the situations described in Section 15162 exist that would require preparation of a Subsequent MND.

V. Cultural Resources

The 2001 IS/MND concluded that there were no known or observed cultural or historic resources within the project locations and mitigation measures for incidental discovery during construction were included. Physical construction associated with the project has been completed. There is no reasonable potential that the Extension of Time request would result in impacts to cultural resources. Any construction associated with buildout within the service area would be subject to all appropriate County of Sonoma permitting. The findings contained in the 2001 IS/MND remain valid. None of the situations described in Section 15162 exist that would require preparation of a Subsequent MND.

VI. Energy

The Energy section of the CEQA Checklist was implemented after the 2001 IS/MND was prepared. Two Checklist items are included in the Energy section, and are assessed below:

a. Would the project result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?

Project construction is already complete and no additional energy input would be required. Any increase in energy consumption related to the Extension of Time request would be minimal and related to pumping minor additional water, considered a necessary use of energy. The project would not result in a wasteful, inefficient, or unnecessary consumption of energy resources.

b. Would the project conflict with or obstruct a state or local plan for renewable energy or energy efficiency?

Sonoma County is provided electricity by Sonoma Clean Power, a community choice aggregation, through PG&E maintained infrastructure. As of 2020, Sonoma Clean Power's power mix was ahead of California's renewable energy goal and supplied 49 percent of its electricity from renewable resources under the California Renewables Portfolio Standard. Additionally, in 2020, 44 percent of Sonoma Clean Power's supply was hydroelectric, for a total of 93 percent greenhouse gas free electricity[3].

The project would not conflict with or obstruct a state or local plan for renewable energy or energy efficiency. The project is essentially energy neutral and located in an area that is exceeding renewable energy goals.

The Energy section does not result in any new potentially significant impacts being identified with the project and does not require any new mitigation measures. None of the situations described in Section 15162 exist that would require preparation of a Subsequent MND.

[3] https://sonomacleanpower.org/power-sources

VII. Geology and Soils

The 2001 IS/MND assessed potential project impacts to/from geology and soils and did not find any potentially significant impacts or identify mitigation measures. The Extension of Time request does not alter the 2021 IS/MND findings in any way as construction is complete and project components have been in operation for nearly 20 years. None of the situations described in Section 15162 exist that would require preparation of a Subsequent MND.

VIII. Greenhouse Gas Emissions

The Greenhouse Gas Emissions section of the CEQA Checklist was implemented after the 2001 IS/MND was prepared. The two Checklist items are included in this section, and are assessed below:

> *a. Would the project generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the* environment?
>
> The project was physically constructed and has been in operation for approximately 20 years. The potential increase in electricity associated with additional water generation for service within the place of use would be negligible. Because Sonoma County is primarily served by GHG-free electricity, there would be no significant impact on the environment from GHGs.
>
> *b. Would the project Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?*
>
> The County of Sonoma has not yet adopted a Climate Action Plan. The project provides water to existing development in an area subject to development regulations implemented through the County of Sonoma's General Plan and Zoning Ordinance. Any development facilitated by the Extension of Time request would be extremely limited in scope and guided by the County of Sonoma. The project will not conflict with a Climate Action Plan should the County adopt one.

The Greenhouse Gas Emissions section does not result in any new potentially significant impacts being identified with the project and does not require any new mitigation measures. None of the situations described in Section 15162 exist that would require preparation of a Subsequent MND.

IX. Hazards and Hazardous Materials

The original project did not identify any potentially significant impact or mitigation measures associated with Hazards and Hazardous Materials. Since that time, the project has been constructed and has been in continuous operation. The Extension of Time request would not alter those findings. The findings contained in the 2001 IS/MND remain valid, and no new impacts have been identified. None of the situations described in Section 15162 exist that would require preparation of a Subsequent MND.

X. Hydrology and Water Quality

The original project did not identify any potentially significant impact or mitigation measures associated with Hydrology and Water Quality. Since that time, the project has been constructed and has been in continuous operation. Permit 21214 establishes OCDS' allowable withdrawals and new entitlements were not requested with the Extension of Time. The Extension of Time would allow OCSD additional time to put water allocated by Permit 21214 to beneficial use. Minimum bypass flows to ensure beneficial uses of the Russian River are maintained by Sonoma Water. The findings

contained in the 2001 IS/MND remain valid. None of the situations described in Section 15162 exist that would require preparation of a Subsequent MND.

XI. Land Use and Planning

The findings contained in the 2001 IS/MND remain valid. No potentially significant impacts were identified. Any development in the defined place of use that would occur with the Extension of Time would be appropriately regulated by the County of Sonoma, consistent with its General Plan and Zoning Ordinance. None of the situations described in Section 15162 exist that would require preparation of a Subsequent MND.

XII. Mineral Resources

As with the original project assessed in the 2001 IS/MND, the Extension of Time would have no impact to mineral resources as no such resources are designated in the project area. None of the situations described in Section 15162 exist that would require preparation of a Subsequent MND.

XIII. Noise

The 2001 IS/MND found that the project would result in short-term construction-related noise and mitigation was identified to reduce the temporary impacts to a level of less than significant. Construction of the project is complete. The Extension of Time request would not result in generation of noise. Potential construction associated with development in the place of use would be subject to noise limitations, consistent with the County General Plan. The findings contained in the 2001 IS/MND remain valid.

XIV. Population and Housing

The 2001 IS/MND found any growth facilitated by the project would be consistent with the County General Plan. The Extension of Time request to put permitted water to beneficial use is consistent with this finding. The findings contained in the 2001 IS/MND remain valid. None of the situations described in Section 15162 exist that would require preparation of a Subsequent MND.

XV. Public Services

The 2001 IS/MND identified construction-related potentially significant impacts to emergency response and provided mitigation to reduce those impacts to less than significant. The Extension of Time would not involve construction that would impact emergency response. The findings contained in the 2001 IS/MND remain valid. None of the situations described in Section 15162 exist that would require preparation of a Subsequent MND.

XVI. Recreation

Neither the original project nor the Extension of Time request will have any impact on recreation. The findings contained in the 2001 IS/MND remain valid. None of the situations described in Section 15162 exist that would require preparation of a Subsequent MND.

XVII. Transportation

The 2001 IS/MND did not identify any potentially significant impacts to Transportation and Traffic. Since the original analysis, the CEQA Checklist has been revised to "Transportation" and includes a vehicle miles travelled analysis. The Extension of Time request could potentially result in an increase in vehicle miles traveled associated with buildout of the place of use. However, the vehicle miles traveled analysis is typically only required for a land development project. This project is a water

supply project and does not directly involve land development. Any development associated with buildout of the place of use would be assessed in the County General Plan and the Transportation section of its EIR. The 2001 IS/MND findings remain valid. None of the situations described in Section 15162 exist that would require preparation of a Subsequent MND.

XVIII. Tribal Cultural Resources

The Tribal Cultural Resources section of the CEQA Checklist was implemented after the 2001 IS/MND was prepared. The two Checklist items are included in this section, and are assessed below:

> *Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:*
>
> *i)Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k)*
>
> The 2001 IS/MND did not identify any sites in the project area listed or eligible for listing in the California Register of Historic Places of a local register. All construction activities are complete, and the Extension of Time would not directly result in construction. Any construction associated with potential buildout of the place of use would appropriately be permitted by the County of Sonoma to prevent impacts to historical resources.
>
> *ii) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resources Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.*
>
> AB52 Tribal consultation was not required or conducted during preparation of the 2001 IS/MND. Typically, Tribes in the project area are concerned with ground disturbing projects. Because this document is an Addendum to a previously adopted IS/MND when Tribal Consultation was not required, the project's physical components have already been constructed and no ground disturbing activities would be directly associated with the Extension of Time, Tribal consultation is not recommended at this time. Ground disturbing activities associated with potential buildout of the place of use would be appropriately permitted by the County of Sonoma and Tribal consultation would occur during that time, as appropriate.

No new impacts or mitigation measures associated with the Extension of Time have been identified. None of the situations described in Section 15162 exist that would require preparation of a Subsequent MND.

XVIIII. Utilities and Service Systems

The original project assessed in the 2001 IS/MND did not identify any potentially significant impacts associated with utilities and service systems that could not be mitigated to a level of less than significant and that impact was related construction-related debris disposal. The Extension of Time would not result in any impact to utilities and service systems but would facilitate provision of water service. The findings contained in the 2001 IS/MND remain valid. None of the situations described in Section 15162 exist that would require preparation of a Subsequent MND.

XX. Wildfire

The Wildfire section of the CEQA Checklist was implemented after the 2001 IS/MND was prepared. The four Checklist items included in the Wildfire section are assessed below:

If located in or near state responsibility areas or lands classified as very high fire hazard severity zones:

a. Would the project substantially impair an adopted emergency response plan or emergency evacuation plan?

The project's physical components were already constructed and the Extension of Time would not impair an adopted emergency response plan or emergency evacuation plan. Any additional development in the community would be subject to inclusion in the existing emergency response and evacuation plans maintained by the County of Sonoma.

b. Would the project, due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?

The Extension of Time would not exacerbate wildfire risks as it does not alter conditions in the project area.

c. Would the project require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?

The Extension of Time would not exacerbate fire risks in the project area. The project would not otherwise require the installation or maintenance of associated infrastructure that may exacerbate fire risk. The project would improve overall water availability for fire fighting in the project area.

d. Would the project expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?

The Extension of Time would not alter existing risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes.

The Wildfire section does not result in any new potentially significant impacts being identified with the Extension of Time and does not require any new mitigation measures. None of the situations described in Section 15162 exist that would require preparation of a Subsequent MND.

XXI. Mandatory Findings of Significance.

The proposed Extension of Time is required meet the original project objectives of the original project and put water allocated by Permit 21214 to beneficial use. No new, collective or cumulative impacts have been identified with the entirety of the project that cannot be mitigated to a level of less than significant with mitigation measures contained in the 2001 IS/MND. No impacts associated with the entirety of the project would trigger a mandatory finding of significance. The 2001 IS/MND findings remain valid. None of the situations described in Section 15162 exist that would require preparation of a Subsequent MND.

RECIRCULATION OF THE IS/MND

Revisions to a CEQA document can sometimes require recirculation of the document for public review. Section 15073.5 of the Guidelines, below, defines when recirculation is required (emphasis

added).

> 15073.5. Recirculation of a Negative Declaration Prior to Adoption.
> (a) A lead agency is required to recirculate a negative declaration when the document must be substantially revised after public notice of its availability has previously been given pursuant to Section 15072, but prior to its adoption. Notice of recirculation shall comply with Sections 15072 and 15073.
> (b) A "substantial revision" of the negative declaration shall mean:
> (1) A new, avoidable significant effect is identified and mitigation measures or project revisions must be added in order to reduce the effect to insignificance, or
> (2) The lead agency determines that the proposed mitigation measures or project revisions will not reduce potential effects to less than significance and new measures or revisions must be required.
> (c) Recirculation is not required under the following circumstances:
> (1) Mitigation measures are replaced with equal or more effective measures pursuant to Section 15074.1.
> (2) New project revisions are added in response to written or verbal comments on the project's effects identified in the proposed negative declaration which are not new avoidable significant effects.
> (3) Measures or conditions of project approval are added after circulation of the negative declaration which are not required by CEQA, which do not create new significant environmental effects and are not necessary to mitigate an avoidable significant effect.
> (4) New information is added to the negative declaration which merely clarifies, amplifies, or makes insignificant modifications to the negative declaration.
> (d) If during the negative declaration process there is substantial evidence in light of the whole record, before the lead agency that the project, as revised, may have a significant effect on the environment which cannot be mitigated or avoided, the lead agency shall prepare a draft EIR and certify a final EIR prior to approving the project. It shall circulate the draft EIR for consultation and review pursuant to Sections 15086 and 15087, and advise reviewers in writing that a proposed negative declaration had previously been circulated for the project.

In this case, neither of the criteria for "substantial revision" contained in Section 15073.5(b) are met by the amendment of the CEQA document to include the Extension of Time. The 2001 IS/MND and this Amendment would therefore fall under 15073.5(c)(4) and not require recirculation. The Extension of Time does not involve identification of a new significant effect or require revision of mitigation measures that would trigger recirculation as "substantial revisions." Therefore, OCSD may proceed with adoption of this Addendum to that document without recirculation.

RESOLUTION NO. OCD2025-01

RESOLUTION OF THE BOARD OF THE OCCIDENTAL COMMUNITY SERVICE DISTRICT ADOPTING AN ADDENDUM TO THE 2001 OCSD WATER PROJECT CONNECTION TO CAMP MEEKER SYSTEM INITIAL STUDY/MITIGATED NEGATIVE DECLARATION FOR REVISIONS TO THE PROJECT

WHEREAS, the Occidental Community Services District (District) has constructed the physical improvements of the OCSD Water Project Connection to Camp Meeker System (the "Project"); and

WHEREAS, the District prepared an Initial Study on the possible environmental consequences of the proposed Project, completed March 12, 2001; and

WHEREAS, the Initial Study, in its final form, did not identify any significant effects on the environment which would result from the Project provided certain mitigation measures therein identified and listed were adopted and implemented; and

WHEREAS, the District, based on the Initial Study, determined that any potential environmental effects of the Project would be clearly mitigated by the identified mitigation measures to the point where no significant environmental effects would occur and, based upon this determination, prepared a Mitigated Negative Declaration (MND) that included a Mitigation Monitoring and Reporting Plan ("MMRP") with respect to the environmental consequences of the subject Project; and

WHEREAS, the District filed a Notice of Determination with the Sonoma County Clerk and the State Clearinghouse on April 18, 2021; and

WHEREAS, a water right application (Application 31257) was filed with State Water Resources Control Board, Division of Water Rights (DWR) on December 13, 2001, consistent with the Project; and

WHEREAS, DWR issued Permit 21214 on April 18, 2008; and

WHEREAS, the District filed for an Extension of Time on December 29, 2021, with DWR to put additional water to beneficial use, consistent with Permit 21214; and

WHEREAS, the Extension of Time was not part of the original Project; and,

WHEREAS, the District prepared an Addendum, dated May 13, 2025, to assess the Extension of Time, consistent with Section 15164 of the Guidelines, and none of the conditions described in Sections 15162 or 15163 calling for the preparation of a subsequent or supplemental EIR or negative declaration exist; and,

WHEREAS, the Addendum did not identify any new significant effects or revision of mitigation measures that would trigger recirculation as "substantial revisions" contained in Section 15073.5(b), and therefore, the Addendum did not require recirculation, pursuant to Section 15073.5(c)(4) of the Guidelines; and

WHEREAS, the District has reviewed and considered the environmental study, the findings and determinations, and the proposed MND dated May 12, 2002, and the associated Addendum dated May 13, 2025; and

WHEREAS, the District has before it all the necessary environmental information required by the California Environmental Quality Act (CEQA) to properly analyze and evaluate any and all of the potential environmental impacts of the proposed project and the Extension of Time.

NOW, THEREFORE, BE IT RESOLVED that the District determines, based upon the record as a whole, that the Project will not have a significant effect upon the environment if the mitigation measures listed in the MND and MMRP are implemented, and hereby adopts the Addendum for the Project.

Director Lunardi	X	Director Gaffney	X
Director Martin	X	Director Eichenholz	X
Director Gonnella			

THIS RESOLUTION DULY PASSED this 13th day of May, 2025.

AYES: 4 NOES: 0 ABSENT OR NOT VOTING: 1

WHEREUPON, the Board President declared the foregoing resolution adopted, and **SO ORDERED.**

/s/ _____ Date: 5/13/25
Ray Lunardi, President of the Board

/s/ _____ Date: 5/13/25
Tiffanie Herring, Clerk of the Board