

NOTICE OF EXEMPTION

TO:

Office of Planning and Research
PO Box 3044
Sacramento, CA 95812-3044

Shasta County Clerk
1643 Market Street
Redding, CA 96001

FROM:

Burney Water District
20222 Hudson Street
Burney, CA 96013

Project Title: Burney Water District Lead Service Line Inventory Project

Project Location: As shown in **Figure 1**, the proposed project is located within the unincorporated community of Burney in Shasta County, in Sections 17, 18, 19, 20, 21, and 24, Township 35 North, Ranges 2 and 3 East, of the U.S. Geological Survey's (USGS) Burney and Burney Mountain West 7.5-minute quadrangles. The proposed project includes inventory via potholing water service lines at 255 water meter locations spread throughout the community of Burney (see **Figure 2**).

City: Burney (unincorporated)**County:** Shasta**Description of Nature, Purpose, and Beneficiaries of Project:**

The Burney Water District (BWD) water system provides potable water to residents and businesses in the community of Burney. The project entails potholing water service lines at 255 meter locations, which represents 20 percent of the service lines in the water system. Potholing will be conducted via vacuum excavation, with two potholes at each location (one on the customer side and one on the BWD side of the meter). Vacuum excavation involves using a water jet or compressed air to loosen soil, which is vacuumed up, resulting in a small hole to access the service line.

The purpose of the project is to complete field investigations and material verification to identify lead service lines in the BWD water service area. All proposed project activities would occur in previously disturbed areas; no trees would be removed. Staging of construction equipment would occur along road rights-of-way adjacent to the work sites.

Name of Public Agency Approving Project: Burney Water District**Name of Agency Carrying out the Project:** Burney Water District**Local Agency Contact Person:** David Zevely, District Manager, 530.335.3582**Exempt Status: Categorical Exemption:**

California Code of Regulations, Title 14, Division 6, Chapter 3 (CEQA Guidelines):

Class 4, §15304 (Minor Alterations to Land)

Class 6, §15306 (Information Collection)

Reason Why Project Is Exempt:

The Class 4 exemption applies to minor alternations to the condition of land (e.g., clearing, trenching, and backfilling) that do not involve the removal of healthy, mature, scenic trees, provided that the surface is restored following construction. The Class 6 exemption consists of basic data collection, research, experimental management, and resource evaluation activities which do not result in a serious or major disturbance to an environmental resource. The project is consistent with the categorical exemptions noted above because work would consist of minor alterations to land at existing meter locations for data collection; only minor earth disturbance would occur at the meter sites; and the ground surface would be restored. No mature trees would be removed.

As documented in **Attachment A**, the proposed project would not have a significant effect on the environment due to unusual circumstances; would not result in damage to scenic resources within a scenic highway; is not located on a hazardous waste site pursuant to §65962.5 of the Government Code; would not cause a substantial adverse change in the significance of a historical resource; and would not result in cumulative impacts.

Signature: David Zevely
David Zevely, District Manager
Burney Water District

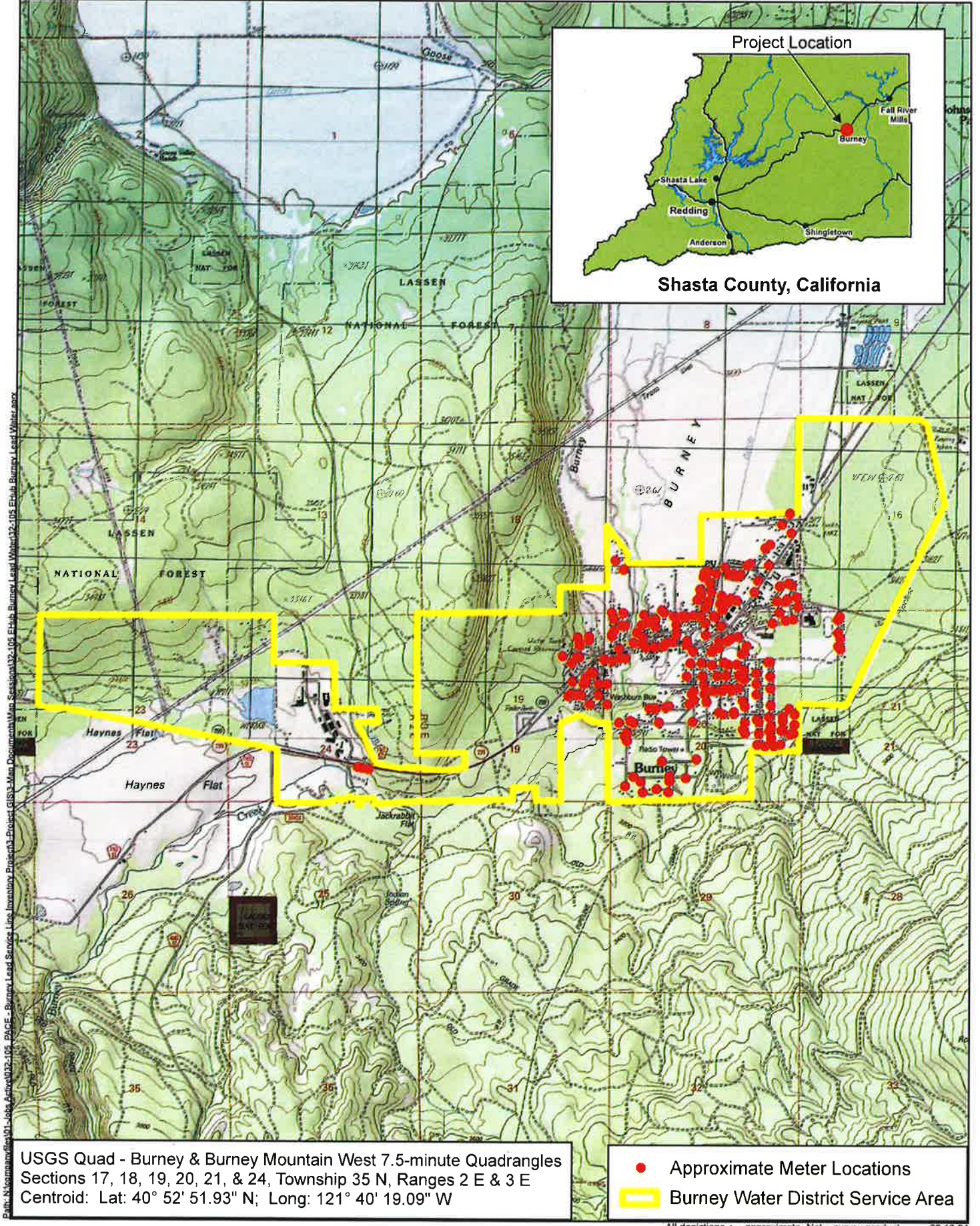
Date: 10/29/2024

Attachments:

Figure 1: Project Location and Vicinity

Figure 2: Meter Locations

Attachment A: Documentation in Support of a Categorical Exemption



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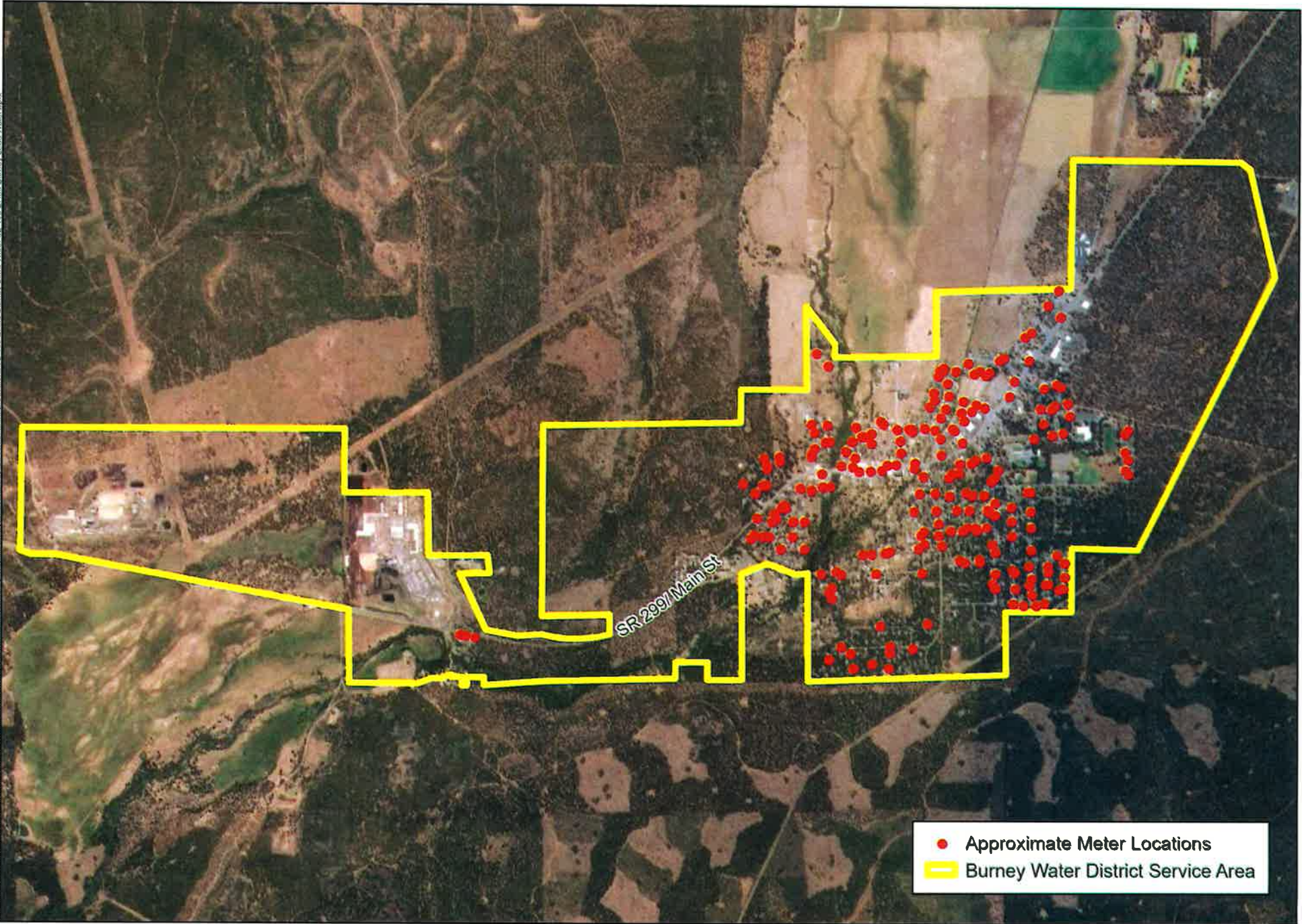
All depictions are approximate. Not a survey product. 09.18.24



Figure 1
Project Location and Vicinity



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- Approximate Meter Locations
- ▭ Burney Water District Service Area



Figure 2
Meter Locations

All depictions are approximate. Not a survey product. 09.18.24

ATTACHMENT A

Documentation in Support of a Categorical Exemption

Burney Water District Lead Service Line Inventory Project

As described in the Notice of Exemption (NOE), the proposed project is categorically exempt from CEQA pursuant to §15304 (Class 4 – Minor Alterations to Land) and Class 6, §15306 (Information Collection) of the CEQA Guidelines. CEQA Guidelines §15300.2 identifies exceptions that override a lead agency's ability to use a categorical exemption. These exceptions are listed below, followed by documentation of why each exception does not apply to the proposed project.

1. 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 on 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 is supported by Class 4 and Class 6 exemptions. As documented below, no evidence has been found to suggest that the project location is particularly sensitive. Likewise, the project is not expected to affect an environmental resource of hazardous or critical concern. Therefore, the Class 4 and Class 6 exemptions are applicable to the proposed project.

2. Cumulative Impact. *All exemptions are inapplicable when the cumulative impact of successive projects of the same type in the same place, over time, is significant.*

BWD is completing another project that consists of replacing 50 existing water meters within the service area, and there would be minor ground disturbance at some of these meter sites where meter boxes need to be replaced. Work associated with replacement of the meter boxes would not include the use of heavy equipment, and impacts would be negligible and temporary.

The schedule for completion of the projects is not known; however, if completed concurrently, construction vehicles/equipment for the meter replacement project and the lead service line inventory project may use the same roads for access. Due to the nature of the projects, however, construction traffic is expected to be minimal on a daily basis. Further, construction-related impacts would be temporary. In addition, neither of the projects would result in an increase in capacity, and no long-term cumulative impacts would occur. Therefore, the impacts would not be cumulatively considerable.

3. 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.*

An "unusual circumstance" exists if the project's circumstances differ from the general circumstances of projects covered by the applicable exemption, and, if so, whether there is a reasonable possibility of a significant effect on the environment *due to* the unusual circumstances. As documented below, there are no unusual circumstances that would preclude a categorical exemption for the proposed project.

Aesthetics:

Work associated with the project would not result in long-term visual impacts. Temporarily disturbed areas would be restored as necessary. Temporary visual impacts during construction due to potholing and staging activities would cease upon the completion of the improvements; no unusual circumstances apply and no significant impacts would occur.

Agriculture and Forest Resources:

According to the California Department of Conservation (DOC), the project area was not surveyed for

inclusion in the Farmland Mapping and Monitoring Program (FMMP). The project area does not include any agricultural zoning or designations. Further, no mature trees would be removed. Therefore, there would be no impact on agricultural lands or forest resources.

Air Quality/Greenhouse Gas (GHG) Emissions:

The proposed project would result in the temporary generation of ROG, NO_x, PM₁₀, and other regulated pollutants and greenhouse gases (GHG) during construction. ROG and NO_x emissions are associated with employee vehicle trips, delivery of materials, and construction equipment exhaust. PM₁₀ is generated during site preparation, excavation, road paving, and from exhaust associated with construction equipment. The project does not include any components that would result in a long-term increase in emissions. There are no unusual circumstances associated with air quality that would preclude a categorical exemption for the proposed project.

Biological Resources:

As documented below, there are no unusual circumstances associated with special-status species, nesting birds, or other biological resources that would preclude a categorical exemption for the proposed project.

Special-Status Species

The evaluation of potential impacts to special-status species and sensitive habitats was based on a records search and field observations.

Records reviewed for the evaluation consisted of California Natural Diversity Database (CNDDDB) records for special-status plants, animals, and natural communities; California Native Plant Society (CNPS) records for special-status plants in the Burney and Burney Mountain West 7.5-minute quadrangles; U.S. Fish and Wildlife Service (USFWS) records for federally listed, proposed, and candidate plant and animal species under jurisdiction of the USFWS; and USFWS records for Birds of Conservation Concern.

Field evaluations were completed by an ENPLAN biologist on July 31, 2024. Some of the special-status species potentially occurring in the project site would not have been evident at the time the fieldwork was conducted; however, determination of their potential presence could readily be made based on observed habitat characteristics.

Special-Status Plants

Review of the USFWS species list for the project area identified one federally listed plant species, slender Orcutt grass (California Rare Plant Rank [CRPR] 1B.1, Federally Threatened [FT]), as potentially occurring in the project area. The project area does not contain designated critical habitat for federally listed plant species (USFWS, 2024).

A review of CNDDDB records showed that one special-status plant species, Lassen paintbrush (CRPR 1B.3), has been broadly mapped in the project area; the species was reported once in 1923; however, the specific location is unknown.

The following ten special-status plants have been reported within an approximate five-mile radius of the project area: broad-nerved hump moss (CRPR 2B.2), English sundew (CRPR 2B.3), hairy marsh hedge-nettle (CRPR 2B.3), Jepson's dodder (CRPR 1B.2), little hulsea (CRPR 2B.3), long-haired star-tulip (CRPR 1B.2), long-leaved starwort (CRPR 2B.2), Red Bluff dwarf rush (RPR 1B.1), slender Orcutt grass (CRPR 1B.1), and tufted loosestrife (CRPR 2B.3). Three non-status plant species, English Peak greenbrier, profuse-flowered pogogyne, and woolly meadowfoam, were reported within an approximate five-mile radius of the project site (CDFW, 2024).

CNPS records identified three additional special-status plant species reported in the USGS Burney and Burney Mtn. West 7.5-minute quadrangles: long-stiped campion (CRPR 1B.2), rattlesnake fern (CRPR 2B.2), and scalloped moonwort (CRPR 2B.2). Eleven additional non-status plant species were reported in the USGS Burney and Burney Mountain West 7.5-minute quadrangle: Baker cypress, Bidwell's knotweed, Castlegar hawthorne, Coleman's rein orchid, giant checkerbloom, mountain lady's-

slipper, Rattan's leptosiphon, Shasta beardtongue, slender cottongrass, Susanville milk-vetch, and Tracy's eriastrum. (CNPS, 2024). No special-status plant species or habitats capable of supporting such species were observed during the field surveys; therefore, no special status plants are expected to be present.

Special-Status Wildlife

Review of the USFWS species list identified five federally listed wildlife species as potentially being present in the project area: conservancy fairy shrimp (Federally Endangered [FE]), monarch butterfly (Federal Candidate [FC]), northern spotted owl (FT), northwestern pond turtle (Federally Proposed Threatened [FPT]), and Shasta crayfish (FE). The USFWS species list does not identify designated critical habitat in the project area for any federally listed animal species (USFWS, 2024).

A review of CNNDDB records showed that two special-status wildlife species have been broadly mapped in the project area: American badger (State Species of Special Concern [SSSC]) and wolverine (FT, State Threatened [ST], State Fully Protected [SFP]). No specific location or date of observation is provided in CNNDDB for the American badger. The wolverine was reported one time in 1966 "0.5 miles from Burney." The following additional special-status wildlife species have been reported within an approximate five-mile radius of the project area: American goshawk (SSSC), bald eagle (Federally Delisted [FD], SFP, SE), fisher (SSSC), greater sandhill crane (ST, SFP), Pit-Klamath brook lamprey (SSSC), Sierra Nevada red fox (ST), and southern long-toed salamander (SSSC). The following non-status animals have also been mapped within the search radius: Great Basin rams-horn, great blue heron, long-eared myotis, Morrison bumble bee, North American porcupine, and osprey (State Watch List [WL]) (CDFW, 2024).

No special-status wildlife species or habitats capable of supporting such species were observed during the field survey; therefore, no special-status wildlife species are expected to be present.

Natural Communities

The field evaluation confirmed that the study area has been disturbed in the past and is currently developed with roads, residences, and related infrastructure. No wetlands, streams, other waters of the State or United States, or sensitive natural communities are present on or adjacent to the project sites.

Nesting Migratory Birds

The USFWS identified the following Birds of Conservation Concern as potentially being present in the project area: American dipper, bald eagle, Cassin's finch, evening grosbeak, Forster's tern, hermit warbler, oak titmouse, and wrenit (USWFS, 2024). Construction activities are not expected to directly affect nesting birds because all work would be completed in surfaced roadways or previously disturbed areas and no trees would be removed. Indirect effects such as nest abandonment by adults in response to loud noise levels are likewise not expected given the urban character of the work area. Any birds that may nest adjacent to the work area would be accustomed to periodic loud noises and other human-induced disturbances.

There are no unusual circumstances associated with special-status species, natural communities, wetlands, nesting birds, or other biological resources that would preclude a categorical exemption for the proposed project.

Energy:

The proposed project does not include any components that would result in environmental impacts due to the wasteful, inefficient, or unnecessary consumption of energy resources in the long-term. There are no unique circumstances related to energy use during construction of the proposed project that would result in more significant impacts than other similar construction projects.

Geology and Soils:

According to the Alquist-Priolo Earthquake Fault Zoning Map for Shasta County, the nearest Alquist-Priolo Special Study Zone to the project site is the Rocky Ledge Fault Zone; faults affiliated with this

Zone are located over ~1.3 miles east of the project site (DOC, 2024). The California Geological Survey also identifies an unnamed potentially active fault in the northwestern portion of the study area (DOC, 2022). The proposed project consists of potholing via vacuum excavation to inventory the existing water lines; these improvements would not increase the likelihood of a seismic event or increase the exposure of people or structures to risks associated with a seismic event.

Soils on the project site are mapped by the U.S. Department of Agriculture (USDA) Natural Resources Conservation Service (NRCS) as Burney-Arkrigh complex, 2 to 9 percent slopes; Jimmerson loam-Jimmerson stony sandy loam complex, 2 to 15 percent slopes; Henhill silt loam, gravelly substratum, 0 to 2 percent slopes; Keddie silt loam, 0 to 2 percent slopes; Matquaw gravelly sandy loam, 0 to 5 percent slopes; and Winnibullli loam, 0 to 2 percent slopes (USDA, n.d.). This soil type is found throughout the project area and is not unique to the project site. There are no unique circumstances related to geology and soils that would result in more significant impacts than other similar construction projects in the area.

Hydrology and Water Quality:

Construction activities would result in the temporary disturbance of soil and would expose disturbed areas to potential storm events, which could generate accelerated runoff, localized erosion, and sedimentation. However, this is a temporary impact during construction activities, and no long-term impacts would occur. Best Management Practices (BMPs) for erosion/sediment control would be implemented in accordance with standard construction practices, which would prevent damage to surface and groundwater quality.

According to the Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map (Panels 06089C0745G and 06089C1050G, effective March 17, 2011), some of the project sites are located within 100-year or 500-year floodplains. However, the project consists of subsurface evaluation of existing waterlines and therefore, the project would not impede or redirect flood flows or otherwise adversely affect the natural value and functions of the floodplain.

Land Use and Planning:

The project would not physically divide an established community or cause an environmental impact due to a conflict with a land use plan, policy, or regulation.

Mineral Resources:

The CGS has not designated any Mineral Resource Zones in the project area (DOC, 2016). In addition, there are no properties in the project area that are zoned or used for mining activities.

Noise:

Construction activities would generate noise and would temporarily increase noise levels in the area; however, this is a temporary impact that would cease at completion of the project. There is no operational noise that would be associated with the project. There are no unusual circumstances associated with noise that would preclude a categorical exemption for the proposed project.

Population and Housing:

The purpose of the proposed project is to complete field investigations and material verification to identify lead services lines in the BWD water service area. The project does not include any components that would induce unplanned population growth in the area. There are no unusual circumstances associated with population or housing that would preclude a categorical exemption for the proposed project.

Public Services/Recreation:

Because the project would not induce population growth, the project would not generate a demand for additional fire protection, police protection, schools, parks/recreational facilities, or other public services.

Transportation/Traffic:

Because the project would not induce population growth, the project would not directly or indirectly result in a permanent increase in traffic or vehicle miles traveled. There would be short-term increases in traffic

in the area associated with construction workers and equipment; however, existing regulations require safety measures to be employed to safeguard travel by the general public during construction. The proposed activity would not have a significant effect on the transportation system due to unusual circumstances.

Utilities and Service Systems:

Because the project would not induce population growth in the area, the project would not generate additional demand for power, natural gas, telecommunications facilities, stormwater drainage, wastewater treatment, or other utilities and services. There are no unusual circumstances associated with utilities or service systems that would preclude a categorical exemption for the proposed project.

Wildfire:

The proposed project does not include any development or improvements that would increase the long-term risk of wildland fires or expose people or structures to wildland fires. There are no unique circumstances associated with the proposed project that would result in more significant impacts than other similar projects in the area.

4. 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.*

According to the California Department of Transportation (Caltrans), there are no officially designated State Scenic Highways in the project area; therefore, there would be no impact (Caltrans, 2023).

5. 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 §65962.5 of the Government Code.*

The following databases were reviewed to locate "Cortese List" sites.

- List of Hazardous Waste and Substances sites from the Department of Toxic Substances Control (DTSC) EnviroStor database.
- State Water Resources Control Board (SWRCB) GeoTracker Database.
- List of solid waste disposal sites identified by SWRCB with waste constituents above hazardous waste levels outside the waste management unit.
- List of active Cease and Desist Orders and Clean-Up and Abatement Orders from the SWRCB.

The records search revealed that there is one active clean-up site adjacent to two of the water meter locations. The site known as "Bernard's" is located southwest of the intersection of State Route 299 and Plumas Street. The case was opened to address leaking underground storage tanks (LUSTs). On August 23, 1991, four of the five tanks were taken out of service, filled with cement slurry, and abandoned in place. However, this action was not in compliance with health and safety regulations. Field investigations conducted in 2005 identified total petroleum hydrocarbons in two test pits: one near a waste oil tank in the northeast corner of the property and one near a gasoline tank in the northwest corner of the property. No groundwater was encountered in the test pits, which were up to nine feet in depth. Additional investigation is needed to identify the extent of the contamination.

Although two of the study sites are within 100 feet of the identified soil contamination, it is not anticipated that the contamination has migrated beyond the property boundaries. In the event that contaminated soil is encountered, the contractor would be responsible for the proper handling and disposal of the contaminated material in accordance with State and local requirements.

6. 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.

A cultural resources study was completed for the proposed project by ENPLAN. The study included a records search, Native American consultation, and field evaluation. The records search was conducted by the Northeast Information Center of the California Historical Resources Information System (NEIC/CHRIS) on July 25, 2024, and covered a ½-mile radius around the project's Area of Potential Effects (APE). The APE includes all areas in which improvements would occur, and areas for staging and temporary construction access, as well as sufficient area for construction.

The records search revealed that 35 archaeological surveys have been conducted within a ½-mile radius of the APE, nine of which encompass portions of the APE along State Route 299. The records search also revealed that four archaeological sites have been recorded within a ½-mile radius of the APE, none of which are located within the APE.

On June 21, 2024, the NAHC conducted a search of the Sacred Lands File; the search did not reveal any known Native American sacred sites or cultural resources in the project area. The NAHC also provided contact information for several Native American representatives and organizations, who were contacted on July 1, 2024, with a request to provide comments on the proposed project. Follow-up correspondence was conducted on August 6, 2024. No responses were received.

Archaeological fieldwork took place on August 15, 2024, during which the APE was intensively surveyed to identify cultural resources that would be potentially affected by the proposed project. No cultural resources were found within the APE.

The cultural resources study concluded that the project would have no effect on historical or prehistoric cultural resources. However, there is always some potential for previously unknown cultural resources to be encountered during excavation activities. Therefore, the following standard construction measures would be included in bid/construction contract documents to address the inadvertent discovery of cultural resources and human remains:

1. In the event of any inadvertent discovery of cultural resources (i.e., burnt animal bone, midden soils, projectile points or other humanly modified lithics, historic artifacts, etc.), all work within 50 feet of the find shall be halted until a professional archaeologist can evaluate the significance of the find in accordance with PRC §21083.2(g) and §21084.1, and CEQA Guidelines §15064.5(a). If any find is determined to be significant by the archaeologist, the Burney Water District (BWD) shall meet with the archaeologist to determine the appropriate course of action. If necessary, a Treatment Plan prepared by an archaeologist outlining recovery of the resource, analysis, and reporting of the find shall be prepared. The Treatment Plan shall be reviewed and approved by the BWD prior to resuming construction.
2. In the event that human remains are encountered during construction activities, BWD shall comply with §15064.5 (e) (1) of the CEQA Guidelines and PRC §7050.5. All project-related ground disturbance within 50 feet of the find shall be halted until the County coroner has been notified. If the coroner determines that the remains are Native American, the coroner will notify the Native American Heritage Commission (NAHC) to identify the most likely descendants of the deceased Native Americans. Project-related ground disturbance in the vicinity of the find shall not resume until the process detailed in §15064.5 (e) has been completed.

DOCUMENTATION:

California Department of Conservation (DOC). 2024. Alquist Priolo Fault Zones Map.

<https://cadoc.maps.arcgis.com/home/webmap/viewer.html?useExisting=1&layers=29d2f0e222924896833b69ff1b6d2ca3>. Accessed August 2024.

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<https://cadoc.maps.arcgis.com/home/webmap/viewer.html?useExisting=1&layers=510bf02ccc9543f99b625551a3e7c7d0>. Accessed August 2024.

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- California Department of Fish and Wildlife (CDFW)**. 2024. California Natural Diversity Database (CNDDDB). <https://wildlife.ca.gov/Data/CNDDDB/Maps-and-Data>. Accessed August 2024.
- California Environmental Protection Agency**. 2024. Cortese List Data Resources. <http://www.calepa.ca.gov/sitecleanup/corteselist/>. Accessed August 2024.
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- U.S. Department of Agriculture (USDA), Natural Resource Conservation Service (NRCS)**. n.d. Web Soil Survey. <http://websoilsurvey.nrcs.usda.gov/app/WebSoilSurvey.aspx>. Accessed August 2024.
- U.S. Fish and Wildlife Service (USFWS)**. 2024. List of Threatened and Endangered Species. Accessed August 2024.