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MEMORANDUM

DATE: September 25, 2024

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

FROM: Pam Reading, Principal, LSA
Ashley Honer, Environmental Planner, LSA

SUBJECT: Class 1 Categorical Exemption for the Proposed Camel Point Drive Waterline Replacement and Pavement Reconstruction Project in Laguna Beach, California

LSA is pleased to submit this memorandum in consideration of a Class 1 Categorical Exemption for the proposed Camel Point Drive Waterline Replacement and Pavement Reconstruction Project (project) in Laguna Beach, California.

PROJECT DESCRIPTION

The South Coast Water District (District) is proposing the Camel Point Drive Waterline Replacement and Pavement Reconstruction Project, which would replace approximately 400 linear feet of 6-inch-diameter ductile iron water pipeline, eleven water services, and one fire hydrant, and reconstruct an approximately 375-foot-long and 30-foot-wide worn road pavement segment on Camel Point Drive in the City of Laguna Beach (proposed project). Refer to Figure 1, Project Site, provided as Attachment A.

Camel Point Drive is a private roadway and is owned by approximately 11 property owners. The existing roadway pavement is a combination of asphaltic concrete and Portland cement concrete pavements. Camel Point Drive provides public access to the beach.

The existing 6-inch pipeline is approximately 8 feet below the ground surface and would be replaced with a new 6-inch polyvinyl chloride (PVC) pipeline of the same size and in close proximity to the existing pipeline. Construction of the new pipeline would require excavation to a depth of 5 feet below ground surface and result in a total disturbed area of approximately 14,000 square feet.

All excavation and land disturbance activities would take place on land that was previously disturbed to construct the existing pipeline and roadway. Furthermore, the project would be conducted in a manner to minimize impacts to property owners, including access and water service interruptions. Construction is estimated to last approximately 3 to 4 months. During project construction, public beach access would be temporarily closed. However, there is an existing public beach accessway approximately 250 feet southeast of the project site along State Route 1, that could be used to access the beach during project construction. During construction, the construction contractor would provide signage directing people to the alternate beach accessway that is 250 ft southeast of

the project site. Once construction activities are complete, the public beach access off of Camel Point Drive would be reopened for use.

Land uses in the vicinity of the project site include residential uses, transportation corridors, and recreational uses. The project site consists of private roadway and does not have an assigned City of Laguna Beach zoning designation or General Plan Land use designation. Surrounding areas are designated as Residential Low Density (R-1) and Recreation (REC) in the City of Laguna Beach Zoning Code and Village Low Density and Public Recreation and Parks in the City of Laguna Beach General Plan. The project site is located within the Appeal Jurisdiction of the California Coastal Zone.

The proposed project would improve the District's existing water supply system infrastructure and would not require the construction of additional utility infrastructure as a result of project implementation. The proposed project would replace an existing water line with one in the same location and of the exact same size and therefore would not result in the addition or expansion of uses associated with the District's utility infrastructure.

CALIFORNIA COASTAL ZONE AND EXEMPTION

The City has a Local Coastal Program that delegates the Coastal Development Permit (CDP) authority from the California Coastal Commission (CCC) to the City. However, the project site is located between the Pacific Ocean and first public road paralleling the Pacific Ocean, which is within the CCC Appealable Area. In the Appealable Area, the CCC has the authority to review appeals of local government actions in these areas. Certain types of development within the Coastal Zone would require the approval of a CDP issued by the City. However, according to Section 25.07.008 of the City's Municipal Code, certain types of development are exempt from the requirement to obtain a CDP. Examples of projects that are exempt from a CDP include, but are not limited to, repair or maintenance activities that do not result in an addition to, or enlargement or expansion of, the object of such repair or maintenance activities. Additionally, the installation, testing, and placement in service or the replacement of any necessary utility connection between an existing service facility and any development is exempt. The proposed project would replace an existing water line with one in the same location and of the exact same size (i.e., would not result in addition or expansion of uses). Therefore, pursuant to Section 25.07.008 of the City's Municipal Code, the proposed project would be exempt from the requirement to obtain a CDP.

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

Under *State California Environmental Quality Act (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 would closely align with *State CEQA Guidelines* Section 15301(b):

> *(b) Existing facilities of both investor and publicly-owned utilities used to provide electric power, natural gas, sewerage, or other public utility services.*

The proposed project includes the replacement of approximately 400 feet of water pipeline, eleven water services, and one fire hydrant, and the reconstruction of the existing pavement on an approximately 375-foot-long and 30-foot-wide roadway. All excavation and land disturbance activities would occur within land that has been previously disturbed to construct the existing pipeline and roadway. The proposed project would constitute a minor alteration of existing facilities consisting of negligible expansion beyond the existing condition to improve existing water supply system infrastructure. 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. The proposed project would have the same purpose and function typically characterized by the District's existing utility infrastructure. Therefore, the project would not involve an expansion of use beyond the District's existing utility infrastructure.

Therefore, based on the proposed project's components and scope of work, the project qualifies for an exemption under *State CEQA Guidelines* Section 15301.

CALIFORNIA ENVIRONMENTAL QUALITY ACT CATEGORICAL EXEMPTIONS – EXCEPTIONS

State CEQA Guidelines Section 15300.2 provides exceptions that apply to specific types of projects and/or projects where substantial evidence exists that a project involves unusual circumstances. The exceptions to the Categorical Exemptions pursuant to *State CEQA Guidelines* Section 15300.2 are the following.

(a) <u>Location</u>. 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 on a private roadway, Camel Point Drive, which itself is located in an urbanized area of Orange County. 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 project would not involve the removal of any trees in the project vicinity and, therefore, would not impact nesting birds.

Accordingly, the project would not result in significant impacts to environmental resources of hazardous or critical concern.

(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 replacement of approximately 400 feet of water pipeline, eleven water services, and one fire hydrant, and the reconstruction of the existing pavement on an approximately 375-foot-long and 30-foot-wide roadway. All excavation and land disturbance activities would occur within land that has been previously disturbed.

The proposed project does not, in and of itself, result in significant 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.

(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.

The proposed project includes the replacement of approximately 400 feet of water pipeline, eleven water services, and one fire hydrant, and the reconstruction of the existing pavement on an approximately 375-foot-long and 30-foot-wide roadway. All excavation and land disturbance activities would occur within land that has been previously disturbed. The scope of work would be limited to the boundaries of the project site. No amendments to an adopted planning document would be required for implementation of the proposed project.

Public beach access along Camel Point Drive would be temporarily closed during construction to avoid potential safety issues related to the proximity of pedestrians and construction equipment. Under CEQA, the temporary closure of public beach access is not considered an environmental impact. Furthermore, there is alternate beach access available approximately 250 ft southeast of the project site. Therefore, the temporary closure of the public beach access off of Camel Point Drive would not prevent the public from accessing the beach in this location. In addition, during construction, the construction contractor would provide signage directing people to the alternate beach accessway that is 250 ft southeast of the project site. Once construction activities are complete, the public beach access off of Camel Point Drive would be reopened for use.

Given that the project site has been previously disturbed, the surrounding areas can be characterized as urban and developed, and access to the beach would be maintained during project construction at a location that is approximately 250 ft southeast of the project site, the proposed project would not have a significant effect on the environment due to unusual circumstances.

(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 replacement of approximately 400 feet of water pipeline, eleven water services, and one fire hydrant, and the reconstruction of the existing pavement on an approximately 375-foot-long and 30-foot-wide roadway. The project site is immediately adjacent to the nearest eligible State Scenic Highway, State Route 1 (SR-1),[1] and is visible from motorists traveling along the highway. However, there are no scenic resources such as trees, historic buildings, rock outcroppings, or similar resources within the project footprint that would be damaged as a result of the proposed project. Additionally, the proposed project would not include any improvements that extend above the road surface that would be visible to the public traveling along SR-1.

Construction activities would include site preparation, equipment use and storage, and other general construction activity, which would be visible from some portions of SR-1. Construction activities and the presence of construction vehicles and equipment could temporarily degrade the visual quality of the project site. However, the change of visual character at the project site during construction activities would be temporary in nature and would be returned to pre-construction conditions after completion of the proposed project. Therefore, the proposed project would not result in damage to existing scenic resources.

(e) <u>Hazardous Waste Sites</u>. 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.

According to the California Department of Toxic Substances Control's (DTSC) EnviroStor tool, the project site is not included on the DTSC's Hazardous Waste and Substances Site List or any lists compiled pursuant to Section 65962.5 of the Government Code.[2]

(f) <u>Historical Resources</u>. 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 replacement of approximately 400 feet of water pipeline, eleven water services, and one fire hydrant, and the reconstruction of the existing pavement on an approximately 375-foot-long and 30-foot-wide roadway. The project site is fully developed and has undergone substantial surficial and subsurface disturbance. The area around the project site is also fully developed. All excavation and land disturbance activities would occur within sediments that were previously disturbed to construct the existing pipeline and roadway. Because of this previous disturbance, there is limited potential for project-related ground

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1 California Department of Transportation (Caltrans). 2018. *California State Scenic Highway System Map.* Website: https://caltrans.maps.arcgis.com/apps/webappviewer/index.html?id=465dfd3d807c46cc8e8057116f1aacaa (accessed September 3, 2024).

2 California Department of Toxic Substances Control (DTSC). 2022. EnviroStor. Website: https://www.envirostor.dtsc.ca.gov/public/search?cmd=search&reporttype=CORTESE&site_type=CSITES,FUDS&status=ACT,BKLG,COM&reporttitle=HAZARDOUS+WASTE+AND+SUBSTANCES+SITE+LIST+%28CORTESE%29 (accessed September 3, 2024).

disturbance to encounter pre-contact or historic-period archaeological deposits or artifacts in their original context. Prior excavations in the existing pipeline easement did not result in the identification of subsurface archaeological deposits. As such, there are no known historical resources as defined by CEQA that would be impacted by the proposed project. Nevertheless, implementation of **Regulatory Compliance Measure** (**RCM) CUL-1** is required to ensure that the proposed project would not cause a substantial adverse change in the significance of a historical resource should any resources be inadvertently discovered during project implementation.

RCM CUL-1 **Unanticipated Discovery.** Should an archaeological artifact or feature be discovered on site during project construction, all activities within a 50-foot radius of the find would be halted until the findings can be fully investigated by a qualified archaeologist to evaluate the find and assess the significance of the find according to the CEQA definition of a historical or unique archaeological resource. If the deposit is determined to be significant, the project applicant and the qualified archaeologist shall meet to determine the appropriate avoidance measures or other appropriate measure, subject to approval by the City of Laguna Beach, which shall assure implementation of appropriate measures recommended by the archaeologist. Should archaeologically-significant materials be recovered, the qualified archaeologist shall recommend appropriate analysis and treatment and shall prepare a report on the findings for submittal to the South Central Coastal Information Center.

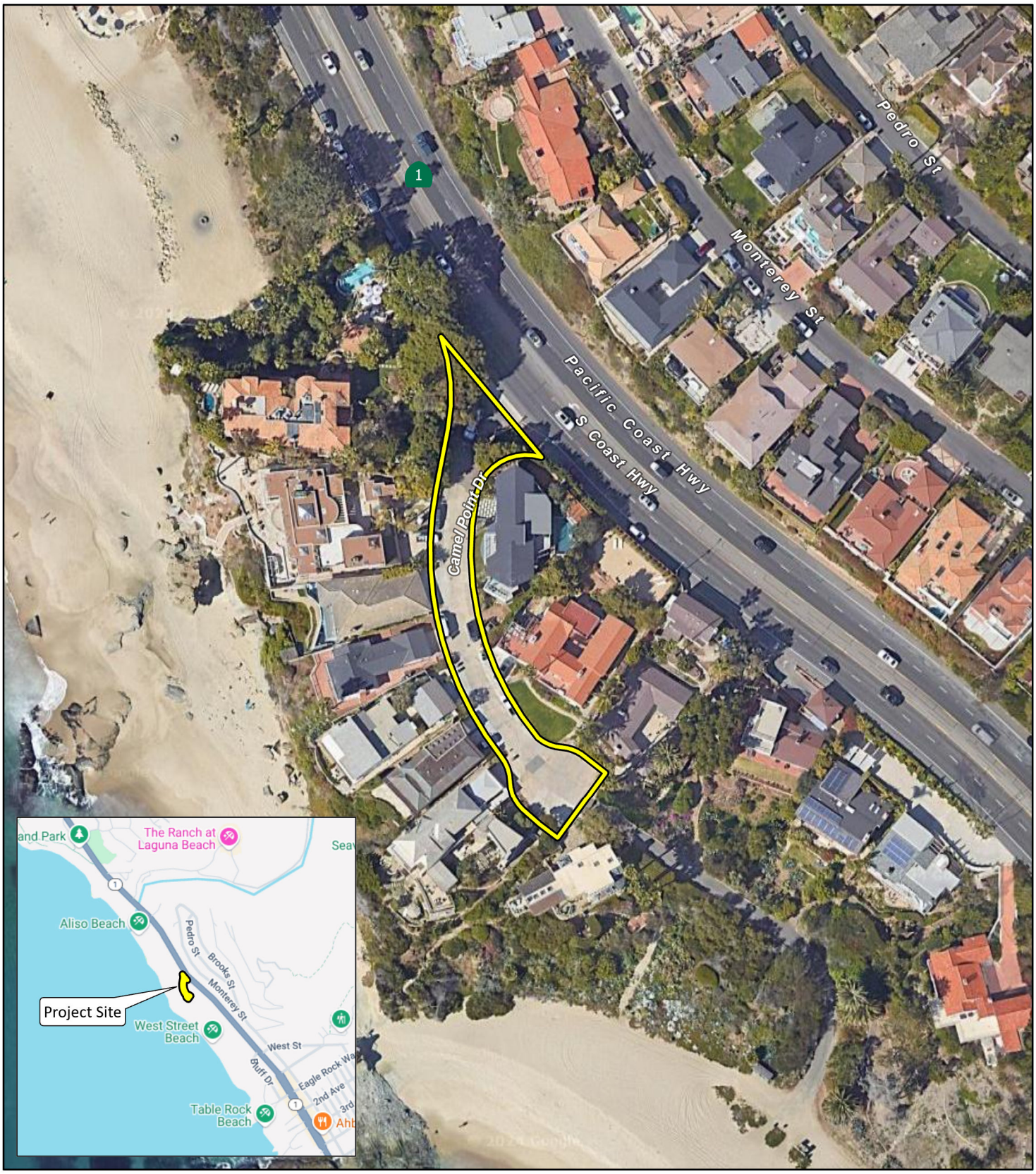
CONCLUSION

In summary, the proposed project would 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. Therefore, the proposed project is exempt from the provisions of CEQA as specified by the *State CEQA Guidelines* identified above.

Attachments: A: Figure 1

ATTACHMENT A

FIGURE 1



LSA

Project Site

FIGURE 1

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SOURCE: Google Imagery (2024)

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Camel Point Drive Waterline Replacement and Pavement Reconstruction Project

Project Site