

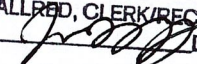


RECORDING REQUESTED  
WHEN RECORDED MAIL TO:

County of Sacramento  
Planning and Environmental Review  
827 Seventh Street, Room 225  
Sacramento, CA 95814  
CONTACT PERSON: Julie Newton  
TELEPHONE: (916) 874-6141

**ENDORSED**  
SACRAMENTO COUNTY

JUL 24 2025

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BY  DEPUTY

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## NOTICE OF EXEMPTION

**Project Title:**

Tenth Amendment to the Surface Mining Resource Manager Program Memorandum of Understanding Between the County and Aggregate Operators to Continue Funding a Surface Mining Resource Manager Program.

**Control Number:**

PLNP2024-00193

**Project Location:**

Countywide

**APN:**

Various – Countywide

**Description of Project:**

The project consists of the Tenth Amendment to the Memorandum of Understanding (MOU) to fund the Surface Mining Resources Manager Program.

**Name of public agency approving project:**

Sacramento County – [ceqa@saccounty.gov](mailto:ceqa@saccounty.gov)

**Person or agency carrying out project:**

Mark Michelini  
827 7<sup>th</sup> Street  
Sacramento, CA 95814  
(916) 874-5648  
[aselagem@saccounty.gov](mailto:aselagem@saccounty.gov)

**Exempt Status:**

Statutory Exemption – CEQA Guidelines Section 15273 (a) (1) and (3)

**Reasons why project is exempt:**

The project involves an amendment to an existing MOU that establishes funding for the Surface Mining Resource Manager Program (Program) within Sacramento County, Planning and Environmental Review. Sacramento County finds that the MOU is for the purpose of meeting operating expenses, including employee wages, in administering the Program. Therefore, it can be seen with certainty that there is no possibility that the activity in question may have a significant impact on the environment and that it is statutorily exempt from the provisions of CEQA.

**Section 15273-Rates, Tolls, Fares, and Charges**

Section 15273 (a) of the CEQA Guidelines, Rates, Tolls, Fares, and Charges, states that CEQA does not apply to the establishment, modification, structuring, restructuring, or approval of rates,

tolls, fares, or other charges by public agencies which the public agency finds are for the purpose of:

1. *Meeting operating expenses, including employee wage rates and fringe benefits.*

The project includes the Tenth Amendment to an existing MOU to fund the Surface Mining Resources Manager Program. This MOU amendment would extend the effective timeframe of the MOU for an additional five years, which would expire on September 15, 2030. This MOU includes the continuance of employee wage rates, which may include fringe benefits. Therefore, the proposed MOU Amendment would be for the purpose of meeting operating expenses, including employee wage rates and fringe benefits. Section 15273 (a) requires a project meet one of the five findings as listed. As this project meets multiple findings (Section 15273 (a) (1) and (3)), the project would be consistent with the CEQA exemption allowances pursuant to Section 15273.

2. *Purchasing or leasing supplies, equipment, or materials.*

The MOU Amendment does not entail the purchasing or leasing of supplies, equipment, or materials. Therefore, this finding would not apply to the project as proposed.

3. *Meeting financial reserve needs and requirements.*

The MOU Amendment does include provisions requiring each affected mine operator to pay an initial deposit to the County. Financial reserve needs and requirements includes maintaining deposit fee amounts for the duration of the MOU term, expiring on September 15, 2030. Therefore, the proposed MOU Amendment would be for the purpose of meeting financial reserve needs and requirements associated with administering services required of any mine operation project review request. Section 15273 (a) requires a project meet one of the five findings as listed. As this project meets multiple findings (Section 15273 (a) (1) and (3)), the project would be consistent with the CEQA exemption allowances pursuant to Section 15273.

4. *Obtaining funds for capital projects, necessary to maintain service within existing service areas.*

The MOU Amendment is not associated with obtaining funds for a capital project, necessary to maintain service within existing service areas. Therefore, this finding would not apply to the project as proposed.

5. *Or, obtaining funds necessary to maintain such intra-city transfers as are authorized by city charter.*

The MOU Amendment is not associated with obtaining funds necessary to maintain such intra-city transfers as are authorized by city charter. Therefore, this finding would not apply to the project as proposed.

Section 15273 (b) of the CEQA Guidelines, Rates, Tolls, Fares, and Charges, states that *rate increases to fund capital projects for the expansion of a system remain subject to CEQA. The agency granting the rate increase shall act either as the Lead Agency if no other agency has prepared environmental documents for the capital project or as a Responsible Agency if another agency has already complied with CEQA as the Lead Agency.*

The MOU Amendment is not requesting rate increases aimed at funding capital projects for the expansion of a system. Therefore, this finding would not apply to the project as proposed.

Section 15273 (c) of the CEQA Guidelines, Rates, Tolls, Fares, and Charges, states that *the public agency shall incorporate written findings in the record of any proceeding in which an exemption under this section is claimed setting forth with specificity the basis for the claim of exemption.*

The discussion of findings above as required pursuant to Section 15273 has been completed to incorporate written findings into the record concerning this MOU Amendment project. To be eligible for the exemption provided under Section 15273, a project must meet one of the findings under Section 15273 (a). This MOU Amendment project is consistent with two of the five listed findings (Section 15273 (a) (1) and (3)). Therefore, the Tenth Amendment to the MOU would be eligible for the CEQA exemption pursuant to Section 15273.

Julie  
Newton

Digitally signed by Julie Newton  
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**Julie Newton**  
ENVIRONMENTAL COORDINATOR OF  
SACRAMENTO COUNTY, STATE OF CALIFORNIA

**Copy To:**

**County of Sacramento  
County Clerk**

3636 American River Drive, Suite 110  
Sacramento, CA 95864

**OPR:**

State Clearinghouse  
1400 Tenth Street  
Sacramento, CA 95814

