NOTICE OF EXEMPTION

To: ☒ Office of Planning and Research
PO Box 3044, 1400 Tenth Street, Room 212
Sacramento, CA 95812-3044

☒ County Clerk
County of Merced
2222 M Street
Merced, CA 95340

From: (Public Agency) City of Atwater
750 Bellevue Road
Atwater, CA 95301

Project Title: Evergreen Mobile Home Park Drinking Water Consolidation Project

Project Location – Specific: 6357 Shaffer Road, Winton, California (APN: 146-210-003); approximately 2,300 linear feet of Shaffer Road public right-of-way to Gertrude Avenue

Project Location – City: Atwater **Project Location – County:** Merced

Description of Project: The City Atwater (City) proposes to construct and operate a new 2,300 linear foot (lf) water main along Shaffer Road with a lateral connection to Evergreen Mobile Home Park (MHP); and to install a new pump station. The extension of the City of Atwater's water system is necessary to supply safe, potable drinking water to the residents of Evergreen MHP.

Name of Public Agency Approving Project: City of Atwater

Name of Person or Agency Carrying Out Project: City of Atwater Utilities Department

Exempt Status: (*check one*)
- ☐ Ministerial – (Sec. 21080(b)(1); 15268)
- ☐ Declared Emergency – (Sec. 21080(b)(3); 15269(a))
- ☐ Emergency Project – (Sec.21080(b)(4); 15269(b)(c))
- ☐ Categorical Exemption. State type and section number:
- ☒ Statutory Exemptions. State code number: 21080.48

Reasons Why Project is Exempt: CEQA documentation for the Evergreen Mobile Home Park Drinking Water Consolidation Project is sufficiently met by a Statutory Exemption for "Small, Disadvantaged Water and Sewer Systems" in accordance with Senate Bill 131 (SB 131), adopted by the State of California in June 2025. See attached details.

Lead Agency Contact Person: Justin Vinson, Public Works Dir **Area Code/Telephone/Ext:** 209-777-0273

If filed by applicant:
1. Attached certified document of exemption finding.
2. Has a Notice of Exemption been filed by the public agency approving the project? ☐ Yes ☐ No

Signature: Christopher Haen Date: 12/18/25 Title: CITY MANAGER ~~Public Works Director~~

☒ Signed by Lead Agency
☐ Signed by Applicant

Date Received for Filing at OPR:

Statutory Exemption
Evergreen Mobile Home Park Drinking Water Consolidation Project

Overview

CEQA documentation for the Evergreen Mobile Home Park Drinking Water Consolidation Project is sufficiently met by a Statutory Exemption under Public Resources Code Section 21080.48 for "Small, Disadvantaged Water and Sewer Systems" in accordance with Senate Bill 131 (SB 131), adopted by the State of California in June 2025.

Background

SB 131 exempts from CEQA review various water and sewer projects that primarily benefit a small, disadvantaged community water system or a state small water system by improving water quality, water supply or water supply reliability, as well as encouraging water conservation and providing drinking water service to existing residences within a disadvantaged community. There are various qualifying criteria, such as not 1) affecting wetlands or an environmentally sensitive habitat area within the coastal zone, 2) not having unusual circumstances that would cause a significant effect on the environment, 3) not having a substantial adverse change in the significance of a historic resource and 4) ensuring that construction impacts are fully mitigated. This exemption imposes a skilled workforce requirement or prevailing wages depending on various factors.

Applicability to the Project

The Evergreen Mobile Home Park Drinking Water Consolidation Project would construct and operate a new 2,300 linear foot (lf) water main along Shaffer Road with a lateral connection to Evergreen Mobile Home Park (MHP); and install a new pump station. Currently, the Evergreen MHP is supplied by its own water system reliant upon groundwater extraction as a primary source of potable water. Due to the presence of 1,2,3-Trichloropropane (TCP) contamination in the Evergreen MHP Water System, the City of Atwater is proposing to extend its water services north along Shaffer Road to provide a reliable and safe drinking water source to Evergreen MHP's disadvantaged community. This extension aims to address the immediate health and safety risks posed by the contaminated water supply, ensuring access to clean water for residents currently affected by the contamination. Supporting environmental technical studies for air quality, biological resources, cultural resources, energy, and noise have been prepared. All potentially significant environmental impacts can be mitigated below significance, and there are no environmental issues that would otherwise except the use of an exemption. The project is partially funded through a SWRCB grant, so CEQA-Plus documentation, including a SWRCB Environmental Package, has been prepared.

Project Description

Background

The Project proposes to extend the City of Atwater's water service system north to Evergreen Mobile Home Park (MHP). Currently, the Evergreen MHP is supplied by its own water system reliant upon groundwater extraction as a primary source of potable water from the Merced Subbasin of the San Joaquin Valley Merced Basin. The Evergreen Mobile Home Park Water System (CA2400084) is comprised of one active well (Well 01), PS Code 2400084-001; one inactive well (Well 02), PS Code 240084-002; one 250-gallon hydropneumatic tank; and distribution piping. Well 01 was installed in 1991 and is approximately 408 feet deep. According to flow meter readings from Well 01 between January

2020 and September 2022, Well 01 is capable of supplying up to 25.1 gallons per minute (gpm) during peak hour demand, and 156 gpm for maximum day demands. Well 01 is located north of an existing apartment building within the eastern perimeter portion of the Evergreen MHP property. Well 02 was drilled in 1983; however, it has been disconnected from the MHP's distribution system. The existing 250-gallon pressure tank is located southwest of Well 02, along the western perimeter of the existing apartment building.

According to the State Water Resources Control Board (SWRCB), Division of Drinking Water (DDW), the Evergreen MHP Water System is a community water supplier, serving 10 mobile homes and one three-unit apartment building; a total of 36 people through 11 service connections. The annual median household income (MHI) of residents within the MHP is $47,409, or less than 80% of the statewide annual MHI of $95,521 as of 2023 (U.S. Census Bureau, 2023 American Community Survey). Therefore, the community served by the water system is classified as a Disadvantaged Community (DAC) pursuant to the Water Code, Section 79505.5(a).

DDW regulates the water system under Domestic Water Supply Permit No. 03-11-19P-017, issued on July 11, 2019. The maintenance and operation of the MHP's Water System is performed by a certified operator contracted by Evergreen MHP. The contractor regularly performs sampling and inspections of the well and pressure tanks. However, Well 01 is currently contaminated with 1,2,3- Trichloropropane (TCP). 1,2,3-TCP is a manmade chemical commonly used in pesticides by local farmers; contamination of drinking water wells has become a widespread issue in the Central Valley. In 1992, the State of California added 1,2,3-TCP to its list of chemicals known to cause cancer; seven years later, the State established a drinking water notification level for the chemical.

On May 25, 2018, the MHP received a compliance order, Order No. 03-11-18R-016, indicating the system exceeded the 1,2,3-TCP MCL and was in violation of the California Code of Regulations (CCR), Title 22, Section 64444. The Evergreen MHP was asked to be in compliance with water quality standards by May 31, 2021. The violation is based on quarterly water quality sampling performed at Well 01 since January 2018. The average concentration of 1,2,3-TCP since 2018 is 0.038 micrograms per liter (µg/L). Therefore, the well was cited by DDW for an exceedance of 0.013 µg/L beyond the existing MCL for TCP (0.005 µg/L) (Ardurra PER, 2024).

Due to the presence of 1,2,3-TCP contamination in the Evergreen MHP Water System, the City of Atwater is proposing to extend its water services north along Shaffer Road to provide a reliable and safe drinking water source to Evergreen MHP's disadvantaged community. This extension aims to address the immediate health and safety risks posed by the contaminated water supply, ensuring access to clean water for residents currently affected by the contamination.

Project Components

The proposed Project will consolidate Evergreen MHP to the City of Atwater's water distribution system through the installation of 2,300 LF of 12-inch water main with 282 LF of 24-inch steel casing bored under the railroad crossing at Santa Fe Road; 12-inch gate valves; and a pump station equipped with a hydropneumatic pump and tank. Project components are summarized in the table below:

Project Component	Description
Potable Water Main	**Length**: 2,300 LF **Size**: 12-inch **Length**: 282 LF **Size:** 24-inch steel casing
Service Connection to Evergreen MHP	**2" service with meter and backflow preventor**
Pump Station	**2-2hp pumps and a 200-gal hydropneumatic tank**

Merced County Local Agency Formation Commission (LAFCO)

The Evergreen MHP Water System extends to the westerly edge of the Shaffer Road right-of-way and is therefore outside of the City of Atwater's current Sphere of Influence (SOI), which extends to within the public right-of-way of Shaffer Road. Therefore, the Evergreen MHP is not included in the City's Urban Water Management Plan (UWMP) for service extension. However, under Government Code Section 56133 and guidance from Merced County LAFCo Executive Officer Bill Nicholson, LAFCo has the authority to permit a city or district to extend services beyond its jurisdictional boundary and SOI if there is an existing or imminent threat to public health or safety within the affected area (LAFCo, n.d.; Ardurra PER, 2024). To gain LAFCo approval for such an extension, the City of Atwater must provide documentation of the health and safety risks, notify alternative service providers, including the Winton Water and Sanitary District, and submit an out-of-boundary service request form.

City of Atwater Urban Water Management Plan (UWMP)

The City of Atwater's UWMP was updated in 2020 and contains goals and objectives to "maintain efficient use of urban water supplies, continue to promote conservation programs and policies, ensure that sufficient water supplies are available for future beneficial use, and provide a mechanism for response during water drought conditions" (Atwater UWMP, 2020).

On April 20, 2018, the SWRCB DDW issued the City a compliance order for violation of Section 11655(a)(1) and CCR, Title 22, Section 6444 MCL- Organic Chemicals since all but one City-owned wells exceeded the MCL for 1,2,3-TCP. In response to the compliance order, the City of Atwater proposed the 1,2,3-TCP Remediation Project to implement treatment and new water lines to all well sites exceeding the State's TCP MCL. The proposed consolidation of the Evergreen MHP Water System with the City of Atwater's water system is expected to bring the Evergreen MHP into compliance with the SWRCB DDW compliance order and aligns with the City's ongoing efforts to remove 1,2,3-TCP from its potable water system.

Project Objectives

The proposed Project intends to consolidate the Evergreen MHP with the City of Atwater's Water System to achieve the following outcomes:

- Provide the residences within a DAC with safe drinking water that meet the MCL standards set forth by the SWRCB DDW by reducing TCP concentrations to 0.005 µg/L;
- Mitigate safety and health concerns currently present due to 1,2,3-TCP contamination found in Evergreen MHP's distribution system; and
- Extend the potable water pipeline to ensure consistency with LAFCo and Government Section 56133; and City of Atwater's standards and design guidelines.

ENVIRONMENTAL SETTING

Project Location

The Project is located in the northeastern portion of Merced County in the San Joaquin Valley. The closest cities to the Project are Atwater, approximately 0.38 miles south, and Merced, approximately 6.6 miles southeast (see Figure 1. Regional Location Map). Portions of the Project are situated the City of Atwater's SOI and directly west. The City's SOI extends along the right-of-way of Shaffer Road, approximately 50 feet east from the Evergreen MHP property line. The Project lies approximately 0.6 miles east from the unincorporated community of Winton's Specific Urban Development Plan (SUDP) area (Merced County GP EIR, 2012; Figure 3-12: Winton Community Specific Plan).

The Project is in an area that is relatively flat and gently slopes from north to south. The Project is contained with Assessor's Parcel Number (APN) 146-210-003 and a two-laned north/south oriented right-of-way within Shaffer Road within Section 25 Township 6 South, Range 12 East Mt. Diablo Base and Meridian. The Project Location is depicted on the United States Geological Survey (USGS) Salida, California (1987) 7.5-minute topographic quadrangle. Coordinates are: Longitude 37.379807 N and Latitude -120.592930 W.

Regionally, the Project is accessible via Santa Fe Drive (Junction (J) 7), a major east-west roadway in the region, and State Route (SR) 99, approximately 0.25 miles and 2.7 miles south from Evergreen MHP. Santa Fe Drive runs parallel to BNSF railroad tracks, which provides a vital commercial link to the Central Valley. Other noteworthy features adjacent to the Project include the Merced-Castle Airport, approximately 0.8 miles northeast; Purely Storage, approximately 0.25 miles south; and Manual Bairos Park, approximately 0.35 miles south from the Evergreen MHP and adjacent to areas of proposed construction.

Merced County is predominately comprised of agriculture and has the fifth largest agricultural county in the state (Merced County GP, 2012). The County is a leader in the State's livestock and poultry products and production (Merced County GP, 2012, Table 2-13: Value of Commodities Produced in Merced County, 1975-2005). As a result, agriculture employs over 15 percent of the County's workforce; and 1.15 million acres of land is designated to agriculture. The Project is surrounded by mostly agriculture; and according to historic aerials the Project area has been used for agricultural production before 1946 (Historic Aerials, n.d.).

The Project will be constructed on portions of the developed Evergreen MHP (APN 146-210-003); and within the public right-of-way of 2,300 LF of Shaffer Road between Evergreen MHP and Gertrude Avenue. These areas where the Project will be implemented are collectively referred to as the "Project Site" for CEQA analysis.

Local Vicinity

The Project Site is surrounded by mostly agriculture and low-density residential structures. The Project Site is designated as General Agriculture (AG-1) under the County's zoning code; and is designated for an Urban Reserve (UR) land use designation in the General Plan, which is consistent with the County's zoning code. At the Project Site, there are 10 mobile homes; one three-unit apartment building; two existing groundwater wells (Well 01 and -02); and a 250-gallon pressure tank. The existing structures are largely concealed by dense vegetation, which limits visibility from Shaffer Road. Each mobile home has their own septic located along the north side of the property line with leach fields along the southern property line. Currently, there are no pumps to discharge waste, nor are there chlorination systems or fire suppression apprentices including fire hydrants (Ardurra, 2023). According to photos taken from a site visit on April 12, 2023, the existing pipes, valves, and water system equipment are approximately 0.5 to 5 feet above grade.

PG&E powerlines are located overhead along the eastern edge of Shaffer Road. In addition, there is an existing underground electrical line in the Evergreen MHP, as well as overhead power lines and poles. An

existing water line runs from the hydrotank to the MHP.

CONSTRUCTION

Construction Activities

Project construction is anticipated to begin in early 2027, lasting for approximately 3 months. Construction activities will occur between 7:30 AM and 4:30 PM, Monday through Friday; weekend work will be avoided when feasible, however, weekend or night work might occur to accommodate traffic. The installation rate of the water main is expected to average 100 feet per day.

Construction activities will involve approximately 16 people, of which six to eight crew members would be onsite at any one time. Crew members will get to the construction site utilizing personal vehicles, up to approximately 16 vehicles, accessing the construction site via local roadways (Walnut Avenue, Shaffer Road, etc.) or regional transportation routes (State Route (SR) 99; Santa Fe Drive (J7)). Personal vehicles will be parked along the public right-of-way, adjacent to the Project within the roadway, shoulder, or the streets, or in a designated laydown yard on the Evergreen MHP property. Throughout Project construction, a traffic control plan will be utilized along impacted public right-of-way including Shaffer Road at the point of connection to the City of Atwater's existing water main at Gertrude Avenue. Temporary fencing will be constructed around each work area to secure construction sites and prevent theft/ vandalism that has the potential to occur overnight, concluding daily construction activities. In addition to fencing, active construction will either be backfilled or covered with trench plates at the end of each day. Water for construction and potable water during construction activities will be supplied by the City of Atwater's water system.

Construction Equipment

During Project implementation, construction activities will involve the utilization of various diesel-powered equipment for the duration of Project construction. Potential equipment on-site during construction includes:

- one (1) scraper
- five (5) tractors/ loaders/ backhoes
- one (1) off-highway truck,
- three (3) hauling trucks
- one (1) plate compactor
- one (1) excavator
- one (1) other material handling equipment
- one (1) paving equipment
- one (1) other construction equipment
- two (2) pumps
- one (1) skid steer loader
- one (1) surfacing equipment
- one (1) rubber tiered dozer, and
- one (1) crane.

During temporary Project construction, equipment will be kept at a designated laydown yard or at the Project contractor's facilities.

Staging

Staging areas will be located inside existing public right-of-way along various locations of the Project alignment and the Evergreen Mobile Home Park property.

Schedule and Phasing

Project construction is not anticipated to be phased. However, equipment will be ordered prior to construction. Old equipment will be removed and disposed of at the nearest properly licensed facility or recycled throughout Project construction. New equipment installations are anticipated to be installed by the manufacturers. As mentioned above, the contractor will lay approximately 100 feet of pipeline per day for approximately 3 months until the entire Project Alignment has been implemented.

LONG-TERM OPERATIONS AND MAINTENANCE

The City will operate and manage the potable water conveyance pipeline to the Evergreen MHP, serving a total of 36 people. The City of Atwater does not anticipate additional staffing needs for long-term operation and maintenance of the proposed Project. Monthly worker trips over the lifetime of the proposed Project will be required to conduct routine inspections and ensure proper long-term maintenance. Since a portion of the proposed Project will occur within the BNSF right-of-way, the City will obtain an encroachment permit for Project construction. The pump station, located on the MHP property, will be managed by the MHP operator.