NOTICE OF EXEMPTION

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

From: (Public Agency) City of Modesto
1010 10th Street
Modesto, CA 95354

☒ County Clerk
County of Stanislaus
1021 I Street, Suite 101
Modesto, CA 95354

Project Title: Stanislaus Elementary School Septic to Sewer Project

Project Location – Specific: Stanislaus Elementary School (APN: 004-68-08) at 1931 Kiernan Avenue; Kiernan Avenue to Carver Road, Carver Road to Bangs Avenue

Project Location – City: Modesto **Project Location – County:** Stanislaus

Description of Project: The Project is proposed to connect Stanislaus Elementary School (School) directly to the City of Modesto's existing sewer system. The sewer main alignment will be a total of approximately 4,100 linear feet (lf), running from the School easterly approximately 1,600 lf along the north side of Caltrans right of way (ROW) in the SR-219/Kiernan Avenue bike lane to Carver Road, then southerly approximately 2,700 lf along the centerline of Carver Road to connect to the City's existing sewer on Bangs Avenue. See attached Project Description for additional details.

Name of Public Agency Approving Project: City of Modesto

Name of Person or Agency Carrying Out Project: City of Modesto, Water Resources Engineering, Utilities Dept

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 Stanislaus Elementary School Septic to Sewer 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: Jim Alves, PE, Sr Civil Engr **Area Code/Telephone/Ext:** 209-571-5557

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: _____ Date: 12/22/2025 Title: Senior Civil Engineer

☒ Signed by Lead Agency
☐ Signed by Applicant

Date Received for Filing at OPR: _____

Statutory Exemption
Stanislaus Elementary School Septic to Sewer Project

Overview

CEQA documentation for the Stanislaus Elementary School Septic to Sewer 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 Stanislaus Elementary School Septic to Sewer Project would replace an outdated, failing septic system at the school with new sewer infrastructure that includes approximately 4,700 feet of new sewer main located in public street right-of-way, connecting to the City's existing sewer system. The school has identified 61% of students as economically disadvantaged. 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 excepting 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

<u>Background</u>

The Project is proposed to connect Stanislaus Elementary School (School) directly to the City of Modesto's existing sewer system. The School, which is part of the Stanislaus Union School District, serves a population of 390 students and staff. The School's service area is approximately 11 acres according to the County Assessor's Map and located at 1931 Kiernan Ave, Modesto, CA 95356 which is less than a mile outside the current City of Modesto (City) limits and within Stanislaus County.

The School's septic sewer system consists of one septic tank, a leach field, leach lines, waste lines, and two distribution boxes. The original septic system was installed in 1957 and an expansion was completed in 2013. The existing septic tank is located south of the School's existing outdoor amphitheater. The septic tank is connected to the first distribution box, located in front of the outdoor amphitheater through a 4-inch diameter waste line. From there, the first distribution box connects to a second distribution box, north of the amphitheater, through a 4-inch diameter waste line. The second distribution line is connected to eight (8) 4-inch diameter waste lines that connect to the leach lines in the leach field.

The existing septic system is in poor condition and has reached the end of its service life. The system has experienced operational problems in recent years and rehabilitation of the existing system is not considered feasible or practical. As a result, the City of Modesto Utilities Department proposes to extend sewer infrastructure from an existing sewer main at Bangs Avenue and Carver Road, to Stanislaus Elementary School, which is located on the north side of Kiernan Avenue,

within the Future Service Area boundary identified in the City of Modesto Wastewater Master Plan. The proposed Project is a joint effort between the City of Modesto Utilities Department, State of California, Water Resources Control Board, and Self-Help Enterprises. The Project is consistent with approved planning goals and polices within the City of Modesto General Plan (2019), and the City's Wastewater Master Plan (2016).

City of Modestp Wastewater Master Plan

The City's Utilities Department owns and operates a wastewater collection system and its associated infrastructure facilities for customers within City limits, some unincorporated areas within the Modesto Municipal Sewer District #1 Service Area, and, by agreement, defined areas outside of the City's General Plan boundary. This system includes approximately 618 miles of active sanitary sewer lines ranging from 4 inches to 66 inches in diameter and 40 lift stations. Wastewater is also conveyed through approximately 32 miles of privately owned and neighboring agency sewer pipes to the City's collection system.

Additionally, the City's Wastewater Services Division operates two separate treatment facilities: a primary treatment facility located on Sutter Avenue (Sutter Plant) and secondary/tertiary treatment facilities located approximately seven miles away at the Jennings Plant. Also located at the Jennings Plant is the Modesto Ranch, a 2,540-acre agricultural property irrigated with treated municipal effluent and cannery process waters. The ranch also receives biosolids generated at the Sutter Plant.

The City's Wastewater Master Plan has the following objectives:

- to identify capacity deficiencies within the wastewater collection system;
- to plan the infrastructure that will serve future development as projected by the City's proposed General Plan Amendment; and
- to develop a capital improvement plan (CIP).

Sewer improvements proposed by the Project are consistent with the City of Modesto's planned improvements within the Wastewater Master Plan Study Area.

Project Objectives

Due to the poor condition of the existing septic system, the Stanislaus Elementary School's wastewater system needs to be connected to the City's sewer system. Therefore, the intended outcome of the proposed Project is the following:

- Provide Stanislaus Elementary School with a reliable source of wastewater discharge;
- Build a Project that is consistent with the City's 2016 Wastewater Master Plan (WMP) identified future improvements.

Project Location

The Project is within northwest unincorporated Stanislaus County in central San Joaquin Valley, "Central Valley" south and east of the Stanislaus River. The Project is approximately 0.5 miles north of the City Limits of Modesto, within part of Modesto's approved Sphere of Influence (SOI) and Study Area of the City's Water Master Plan. The Project is in an area that gently slopes from northeast to southwest, and occupies an east/west oriented right-of-way alignment between Sections 1 (Township 3 South, Range 8 East) and 36 (Township 2 South, Range 8 East), and Sections 6 (Township 3 South, Range 9 East) and 31 (Township 2 South, Range 9 East) Mt. Diablo Base and Meridian. The alignment continues briefly south before terminating on Dale Road at the western end and continues briefly both south and north along Tully Road before terminating at the eastern end. It is depicted on the United States Geological Survey (USGS) Salida, California (1987) 7.5-minute topographic quadrangle.

Other cities near the Project within Stanislaus County include the City of Riverbank, approximately 5 miles east, and the City of Ripon, approximately 6.3 miles northwest. Regionally, the Project Location is accessible via US Highway 99 (I-99), approximately 4.1 miles west of the proposed alignment; and State Route 219 (SR-219), also known as Kiernan Avenue, where a portion of the Project Alignment is proposed. Since 1960, Stanislaus County has experienced an influx in population induced by growth pressures from the San Francisco Bay Area, resulting in nine (9) incorporated cities that make up more land area than unincorporated Stanislaus County areas. However, despite growth of urban areas, Stanislaus County remains the sixth most productive agricultural county in California; in 2015, approximately $3.9 billion in revenue was generated as result of Stanislaus County's agricultural sector (Modesto GP EIR, 2019). This area has historically been in use for agriculture accordant with historic land use in the surrounding Central Valley. The County's

climate and gently sloping terrain make this area ideal for agricultural production for primarily deciduous fruits & nuts. The Project is located in the northwestern service area of the Stanislaus Union School District. The school district serves residents primarily within unincorporated Stanislaus County and north Modesto.

Local Vicinity

The Project is surrounded by agriculture, orchards, and low-density structures consisting of low- to mid-rise residential, commercial, industrial, institutional land uses. There is a PG&E substation at the southwest corner of Kiernan Avenue and Tully Road. Stanislaus Elementary School is on the north side of Kiernan Avenue approximately 1,600 feet west of Carver Road. The closest natural landmarks to the Project are the Stanislaus River (approximately 2.8 miles north) and the Sierra Nevada Mountain Range in the East (approximately 15 miles) and the Coastal Mountains in the west (approximately 18 miles); due to distance, these natural landmarks are not visible from the Project Site.

Existing infrastructure in the Local Vicinity follows the north/south and east west street grid established by existing roadways and includes buried sewer and 12-inch potable water pipeline, communication conduit and manmade culverts along the north and south sides of Kiernan Avenue. The unpaved median in Kiernan Avenue also serves for surface water detention. Overhead 12,000-volt and 69,000-volt electrical lines are along the south side of Kiernan Avenue. A surficial concrete-lined, irrigation system, consisting of canals and laterals, surrounding the Project in the Local Vicinity convey water from the Stanislaus River for agriculture in the local vicinity. Within the Kiernan Avenue public right-of-way, a 30-inch irrigation line runs north and south. The terrain in the Local Vicinity is flat or gently sloping toward the southwest.

Project Components

The Project will construct new sewer main connecting Stanislaus Elementary School to the City's existing sewer system. The sewer main alignment will be a total of approximately 4,100 linear feet (lf), running from the School easterly approximately 1,600 lf along the north side of Caltrans right of way (ROW) in the SR-219/Kiernan Avenue bike lane to Carver Road, then southerly approximately 2,700 lf along the centerline of Carver Road to connect to the City's existing sewer on Bangs Avenue. The project alignment is north of the Kiernan/Carver North Comprehensive Planning District (CPD), and north of the City Limits of Modesto. The project includes 10 sewer manholes spaced at various locations along the alignment. A bypass is anticipated for connecting to the existing manhole at Kiernan and Carver. The areas where the Project will be constructed are collectively referred to as the "Project Site" for CEQA analysis and as summarized as follows:

Public ROW	Length (LF[1])	Direction of Pipeline Construction	Area of Disturbance
Kiernan Avenue	~ 1,600	**East** from Stanislaus Elementary School to Carver Road intersection. Includes 4 new manholes.	**Open Trenching**: 3-ft wide for 3,785 linear feet Max depth of 22 feet at Carver Road and Bangs Avenue **Jack and Bore:** 315 linear feet of 24" steel casing across Kiernan Avenue **Jack and Bore Pits**: ***1 Bore Pit:*** 12-ft wide x 20-ft long x 17-ft deep ***1 Receiving Pit:*** 12-ft wide x 12-ft long x 17-ft deep **Total Cut/Fill**: 9,300 cubic feet
Carver Road	~ 2,700	**South** from Kiernan Avenue intersection to existing City's existing sewer at Bangs Avenue. Includes 6 new manholes.	

Kiernan Avenue is a divided eight-lane highway with dedicated right turns and bike lanes in both directions. Kiernan Avenue is a Caltrans right-of-way also known as State Route 219 (SR-219) and classified as a Principal Arterial (OPA) under the Stanislaus County circulation element (Stanislaus County GP, *Figure II-1 Road Circulation Diagram*). Kiernan Avenue contains an unvegetated center median, bicycle lanes, turn pockets, and pedestrian access along developed portions of the right-of-way.

Carver Road is a two-lane local roadway with a left-turn pocket at Kirnon Avenue. Carver Road contains no bicycle lanes nor pedestrian amenities along the right-of-way.

Construction Activities

Project construction is anticipated to begin in 2026 and conclude in 2027, lasting for approximately 300 calendar days (ten months. Construction activities will occur between 7:30AM and 4:30PM, 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 sewer main is expected to average 100 feet per day.

Construction activities will involve approximately 16 people on the job, with six to eight crew members at any one time. Crew members will get to the construction site utilizing personal vehicles, approximately 8 vehicles at any one time, accessing the construction site via local roadways (Carver Road, Dale Road, Tully Road, etc.) or regional transportation routes (State Route (SR) 99; SR 219 (Kiernan Avenue); SR 108). Personal vehicles will be parked along the public right-of-way, adjacent to the Project Alignments within the roadway, shoulder or the streets, or in a designated laydown yard on the Stanislaus Elementary School property. 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 steel trench plates at the end of each day. Water for construction and potable water during construction activities will be supplied by the City of Modesto's water system.

Construction Equipment

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

- one (1) backhoe
- one (1) loader
- one (1) hydraulic excavator
- two (2) wheel loaders
- two (2) haulers

Staging

Staging areas will be located inside existing public right-of-way along various locations of the Project Alignment or on adjacent parcels. These staging locations will depend on the portion of the alignment under construction. Staging will also be located within a portion of the Stanislaus Elementary School parking lot.

Schedule and Phasing

The Project Construction is not anticipated to be phased. As mentioned above, the contractor will lay approximately 100 feet of pipeline per day for approximately eight months until the entire Project Alignment has been implemented. Utility potholing and determining locations of existing "dead-end" connections will occur prior to open trench construction and excavation.

Long-Term Operations and Maintenance

The proposed Project Alignment is anticipated to be operational for 50 or more years following initial construction. The City will operate and manage the wastewater pipeline to Stanislaus Elementary School, serving approximately 360 students and staff. The City of Modesto 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 Caltrans right-of-way (Kiernan Avenue), the City will establish a long-term maintenance agreement with Caltrans pursuant to a parallel encroachment policy exception for an arterial.