

Notice of Exemption

Appendix E

TO: Office of Planning and Research
1400 10th St
Sacramento CA 95814

FROM: Public Agency: County of Monterey
Housing & Community Development
Address: 1441 Schilling Pl South 2nd Floor
Salinas, CA 93901

County Clerk

County of Monterey

Project Title: Gabilan Middlefield Water System Consolidation (File No. 26EP0251)

Project Applicant: California Water Service Company (C/O Denise Duffy & Associates Inc)

Project Location - Specific:

499 San Juan Grade Road, Salinas. 196 Assessor's Parcel Numbers will be affected. Located northeast of the City of Salinas, primarily within the Gabilan Acres community bordered by San Juan Grade Road, Hebert Road, and Stirling Road, Salinas.

Project Location - City: Salinas

Project Location - County: Monterey

Description of Nature, Purpose and Beneficiaries of Project:

Excavation and demolition of existing water system infrastructure, construction of potable water pipelines, and installation of water services, including 7,460 linear feet along Middlefield Road, Stirling Road, Lagunita Road, and Herbert Road. Existing residential connections would then connect to California Water Service.

Name of Public Agency Approving Project: County of Monterey

Name of Person or Agency Carrying Out Project: Robyn Simpson, Denise Duffy & Associates Inc

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: 15183

Reasons why project is exempt:

The Proposed Project will result in the replacement of an existing distribution system and the construction of associated site improvements to connect individual residences to California Water Service Company's distribution system. Further, the project is consistent with the 2010 General Plan and will not have any significant effects on the environment that either have not already been analyzed in 2010 General Plan EIR or are more significant than previously analyzed, or that uniformly applicable development policies would not substantially mitigate. See attached justification, which the County of Monterey has independently reviewed and concurs with the conclusions.

Lead Agency Contact Person: Fionna Jensen, County of Monterey

Area Code/Telephone Extension: (831) 796-6407

If filed by applicant:

1. Attach certified document of exemption finding.
2. Has a Notice of Exemption been filed by the public agency approving the project? **Yes**

Signature: Fionna Jensen

Date: June 24, 2026

Title: Principal Planner

☒ Signed by Lead Agency ☐ Signed by Applicant

Authority cited: Sections 21083 and 21110, Public Resources Code Date Received for filing at OPR: _____.
Reference: Sections 21108, 21152, and 21152.1, Public Resources Code.



Denise Duffy & Associates, Inc.

PLANNING AND ENVIRONMENTAL CONSULTING

MEMORANDUM

Date: May 27, 2026

Subject: CEQA Compliance Analysis in Support of CEQA Exemption for the Gabilan Middlefield Consolidation Project

This California Environmental Quality Act ("CEQA") Compliance Analysis has been prepared by Denise Duffy & Associates, Inc. ("DD&A") for submittal and consideration by the County of Monterey ("County" or "Monterey County") to support the proposed CEQA Exemption for the proposed Gabilan Middlefield Consolidation Project ("Project" or "Proposed Project"). The Proposed Project would consolidate up to six existing community water systems to provide a safe and reliable water supply for existing residents. The Project includes replacement and installation of new water distribution pipelines, fire hydrants, residential water meters, and lateral service connections, as well as upgrades to an existing pump station. The existing water systems are located in the Gabilan Acres area of unincorporated Monterey and currently rely on aging infrastructure and several wells with documented water quality issues, including nitrate and coliform contamination and unreliability due to aging infrastructure. The County of Monterey has permit authority over the Project related to encroachment permit(s) and is acting as the lead agency under CEQA. The Project will receive funding from the State Revolving Fund and the State Water Resources Control Board will be a responsible agency for this action.

In consideration of CEQA compliance, the Proposed Project has been reviewed pursuant to the following CEQA Guidelines:

- Section 15183 – Provides an exemption from additional environmental review for projects that are "consistent with the development density established by existing zoning, community plan or general plan policies for which an Environmental Impact Report ("EIR") was certified, except as might be necessary to examine whether there are project-specific significant effects which are peculiar to the project or its site" (Cal. Code Regs. Tit. 14, § 15183 et seq., 2020)). CEQA Guidelines Section 15183(c) further states that "If an impact is not peculiar to the parcel or to the project, has been addressed as a significant effect in the prior EIR, or can be substantially mitigated by the imposition of uniformly applied development policies or standards, then an EIR need not be prepared for the project solely on the basis of that impact."
- Section 15302 – Provides an exemption from additional environmental review for projects that consist of "replacement or reconstruction of existing structures and facilities where the new structure will be located on the same site as the structure replaced and will have substantially the same purpose and capacity as the structure replaced, including but not limited to... (c) Replacement or reconstruction of existing utility systems and/or facilities involving negligible or no expansion of capacity."
- Section 15305 – Provides an exemption from additional environmental review for projects that are "minor alterations in land use limitations in areas with an average slope of less than 20 percent, which do not result in any changes in land use or density," including issuance of encroachment permits.

This memorandum provides an overview of the Project and a justification for the County's filing of a Notice of Exemption ("NOE"), under the exemption categories identified above. CEQA Guidelines

Section 15183 applies because the Proposed Project is consistent with the development density and land use assumptions evaluated in the Monterey County General Plan EIR, and the Project would not result in new or substantially more severe significant impacts peculiar to the site or Project. CEQA Guidelines Section 15302 applies because the Proposed Project primarily involves replacement and reconstruction of existing utility infrastructure with substantially the same purpose and capacity, involving negligible expansion of service. CEQA Guidelines Section 15305 also applies because portions of the Proposed Project involve minor alterations to land use limitations and encroachment activities within previously disturbed areas that would not result in changes to land use or density.

Organization of this Document

The following provides an overview of the description of the Proposed Project, and then addresses the applicable CEQA exemptions under CEQA Guidelines Sections 15183, 15302, and 15305. Summaries of each exemption and environmental review requirements are also provided. A detailed CEQA checklist and environmental analysis of the Proposed Project is provided in the *Preliminary Environmental Assessment, Justification for Exemption from Additional Environmental Review and CEQA Checklist (Attachment A)*.

Project Overview

The Proposed Project, described below, is located northeast of the City of Salinas, within unincorporated Monterey County, primarily within the Gabilan Acres community bordered by San Juan Grade Road, Hebert Road, Stirling Road, and agricultural uses. Regional access to the Project area is provided from U.S. Route 101 and San Juan Grade Road. The Proposed Project is located in a predominantly residential area that is surrounded by agricultural uses. The land use designations for parcels surrounding the Project area include Residential - Low Density 5 - 1 Acres/Unit, and Farmlands 40 - 160 Ac Min.

The Proposed Project consists of the consolidation of up to the following six (6) community water systems located along Middlefield Road:

- Gabilan Water Company (“GWC”), and;
- Middlefield Road Water Systems (“Middlefield Systems”):
 - Middlefield Road Water System #02/Lagunita Water System (“Lagunita”);
 - Middlefield Road Water System #03/Tryhorn Mutual Water System (“Tryhorn”);
 - Middlefield Road Water System #04/Livingston Mutual Water System (“Livingston”);
 - Middlefield Road Water System #09/Martin Mutual Water System (“Martin”), and;
 - Middlefield Road Morris Mutual Water System (“Morris”).

The Middlefield Systems and GWC serve an overall community of approximately 659 residents via seven (7) total groundwater wells. The infrastructure for these water systems is in generally poor condition. Several of the Middlefield systems have encountered water quality issues related to exceedance of maximum contaminant levels (“MCL”) for nitrates (specifically, the Lagunita and Livingston systems), coliform contamination (Tryhorn), and other undetermined contamination (Morris).¹ The County has

¹ The Morris system’s well is located on an easement that is within a private parcel whose owner does not respect easement rights. Anecdotal accounts indicate that the Morris system faces water quality issues, though the types of water quality issues are not known with certainty. The Morris system’s participation in the Proposed Project is considered unlikely at this time; if the Morris system ultimately opts not to participate in the Project, the remaining water systems would still pursue consolidation with Cal Water.

issued compliance orders related to operation of some of these water systems; however, the GWC system and the Martin system are not currently subject to compliance orders.

Project Description

The Proposed Project consists of consolidating the water systems with the existing Cal Water system using a new distribution system. Cal Water is a statewide water supplier that operates a 12-inch service main located within San Juan Grade Road that serves communities to the north and south of the Project area. The Proposed Project also includes the installation of new individual residential water meters and lateral extensions. The existing distribution systems would be replaced with new pipelines to meet Cal Water standards. The new distribution system would be owned and operated by Cal Water and would connect to the existing Cal Water service main in Pressure Zone 360.

The Proposed Project includes improvements to Cal Water's existing Booster Pump Station 66, located approximately 2,600 feet southwest of the Project site at 499 San Juan Grade Road, to provide sufficient capacity to serve the Gabilan/Middlefield community. This would consist of increasing the total pumping capacity of Booster Pump Station 66 to 800 gpm. Other proposed improvements include minor pipe resizing and/or reconfiguration, upsizing the surge tanks, implementing electrical upgrades, replacing the existing backup generator, and sound-dampening improvements to the pump enclosures. Booster Pump Station 66 would remain operational during upgrades to provide water to existing connections.

The Proposed Project will result in the replacement of an existing distribution system, consisting of approximately 7,470 linear feet of eight-(8) inch polyvinyl chloride ("PVC") pipelines located within Middlefield Road, Stirling Road, Hebert Road, and Lagunita Road. In addition, the Proposed Project would install fire hydrants at street intersections at intervals not exceeding 500 feet. The distribution system would be owned and operated by Cal Water, and connect to the existing Cal Water service main located within San Juan Grade Road via three (3) new connection points at Stirling Road, Hebert Road, and Lagunita Road. The existing distribution systems would be abandoned in place and plugged via concrete at each end of the abandoned segments.

The Proposed Project includes the construction of new lateral connections and water meters to connect individual residences to the new Cal Water distribution system. These lateral connections would be located on individual private properties within existing disturbed areas on each property's frontage, with designs specific to the layout of each individual lot.

The majority of the existing wells operated by the individual water systems would be demolished following completion of the Proposed Project and connection to Cal Water's system. While some well owners may elect to retain their wells for irrigation use, in this event, well owners would be required to install backflow devices to prevent well water from entering Cal Water's system, paying fees administered by the Sustainable Groundwater Management Agency, and performing annual well testing.

Project Construction

The Proposed Project would disturb approximately 1.31 acres, including 0.64 acres within the roadway for pipeline installation and 0.67 acres for laterals serving individual homes, and would be located primarily within previously disturbed areas. Construction activities would consist of installing the distribution pipeline within existing roadways and public rights-of-way ("ROWs"), making improvements to the existing Booster Pump Station 66, and installing distribution system laterals to connect individual residences with the distribution pipeline. The improvements to Booster Pump Station 66 would occur within an existing disturbed area, and the laterals connecting private residences to the distribution

system would be installed within existing disturbed areas on private property. Water meters for each connection would be installed in the public ROW and would be considered Cal Water's facilities.

Site preparation for the Proposed Project may include clearing and grubbing to clear debris or excess shrubbery from the work area, removal of asphalt for the main trench line, and preconstruction correspondence/visitation with residents to identify the layout of utilities and connections on private property. Temporary road closures would be required due to work within or adjacent to the roadways. The locations of the temporary road closures would change over the course of Project construction due to the linear nature of distribution pipeline installation. Road closures would be conducted according to the conditions of the encroachment permit issued by the County for the Proposed Project. Work within private parcels would be coordinated with owners and/or residents. No net increase in impervious surfaces is anticipated as a result of the Proposed Project. All surface conditions would be restored to pre-Project conditions following the completion of construction.

As stated above, the wells serving the individual water systems may be demolished once the Proposed Project is operational. The GWC has committed to destroying their two (2) wells following consolidation with Cal Water. The Middlefield systems participating in the Project would decide between well demolition and retention on a case-by-case basis. However, all wells would discontinue use for potable water supply following consolidation and, if retained, would be restricted to use for non-potable use such as irrigation. If retained, well owners would be responsible for complying with State, local, and Cal Water regulations, including: 1) Installing and maintaining approved reduced pressure ("rp") backflow device to ensure well water does not enter Cal Water's system;² 2) Paying for annual well testing; 3) Paying Sustainable Groundwater Management Agency well registration fees (anticipated to be implemented within one to two years), and; 4) Negotiating easements and/or access agreements (for wells located on another property but serving a subject property). Construction of the Proposed Project is anticipated to occur over the course of approximately 12 to 16 months. Construction is expected to begin in January 2027 and would occur over approximately 260 workdays. The Proposed Project is anticipated to begin operation in January 2028.

The Proposed Project includes contract specifications as part of the Project design based on County General Plan policies as discussed in **Attachment A**.

Categorical Exemption Summary Analysis

The Proposed Project would apply exemptions pursuant to CEQA Guidelines Sections 15183, 15302, and 15305. Summaries of each exemption and environmental review requirements are outlined below. In addition to the following analysis, **Attachment A** contains a consistency checklist analyzing all 20 environmental issue areas suggested by Appendix G of the CEQA Guidelines to support compliance with Section 15183. This Checklist was prepared pursuant to Public Resources Code Section 21000 et seq. and the CEQA Guidelines, California Code of Regulations Section 15000 et seq. This checklist concludes that the Project will not have any significant effects on the environment that either have not already been analyzed in 2010 General Plan EIR or are more significant than previously analyzed, or that uniformly applicable development policies would not substantially mitigate. Therefore, the project can be found statutorily exempt under CEQA Guidelines section 15183.

Additional documentation is provided for finding exemptions under CEQA Exemption under Section 15302, (c) Replacement or reconstruction of existing utility systems and/or facilities involving negligible

² Failure to maintain and/or make necessary repairs to the backflow prevention device could potentially result in water service interruption to prevent risks to the Cal Water system.

or no expansion of capacity and Section 15305, minor alterations in land which do not result in any changes in land use or density.

The following provides a summary analysis of consistency with these exemptions.

General Plan/Community Plan Exemption (CEQA Guidelines Section 15183): California Public Resources Code ("PRC") Section 21083.3 and CEQA Guidelines Section 15183 provide an environmental review process and exemption from additional environmental review for projects that are consistent with the development density established by existing zoning, community plan or general plan policies for which an EIR was certified, except as might be necessary to examine whether there are project-specific significant effects which are peculiar to a project or its site.

Section 15183 specifies that examination of environmental effects shall be limited to those effects that:

1) Are peculiar to the project or the parcel on which the project would be located, and were not analyzed as significant effects in a prior EIR on the zoning action, general plan, or community plan, with which the project is consistent; 2) Are potentially significant offsite impacts and cumulative impacts which were not discussed in the prior EIR prepared for the general plan, community plan or zoning action, or; 3) Are previously identified significant effects which, as a result of substantial new information which was not known at the time the EIR was certified, are determined to have a more severe adverse impact than discussed in the prior EIR.

Section 15183(c) further specifies that if an impact is not peculiar to the parcel or to the proposed project, has been addressed as a significant effect in the prior EIR, or can be substantially mitigated by the imposition of uniformly applied development policies or standards, then an additional EIR need not be prepared for that project solely on the basis of that impact.

For the purposes of this analysis, the prior EIR is the 2010 Monterey County General Plan EIR. The Proposed Project is a water consolidation project consistent with the zoning designations and the policies of the 2010 Monterey County General Plan. The Proposed Project is occurring mainly within the roadway ROW and is consistent with minor improvements system replacement or distribution. As such, the Project does not include any impacts that are peculiar to the Project location, that were not analyzed as significant effects in the prior EIR, or that are more severe than discussed in the prior EIR. In addition, the Proposed Project does not include any new potentially significant impacts or cumulative impacts that were not discussed in the prior EIR. All impacts from the Project are less-than-significant with adherence to uniformly applied development policies and/or standards adopted by the County.

With regards to the issue area of the evaluation, the following findings can be made:

- No peculiar impacts to the Project or its site have been identified. The Proposed Project is consistent with the type of development envisioned in the 2010 General Plan for the Project site and is consistent with development of infrastructure to support the existing land uses. The Project site is developed and the Project will not result in peculiar site-specific impacts to identified resources, and no additional environmental review is required.
- There are no potentially significant off-site and/or cumulative impacts related to this Project which were not discussed by the Monterey County General Plan EIR. With respect to all environmental issues, the Proposed Project will not result in significant and unmitigable impacts to the environment. All anticipated impacts associated with project construction and operation will be either no impact or less than significant. The Proposed Project would also not result in potentially significant cumulative impacts beyond those analyzed in the Monterey County General Plan EIR. The Project would not contribute considerably to any significant cumulative impact, and

there are no cumulatively considerable effects that are peculiar to the Project or site. Accordingly, no additional environmental review is required pursuant to CEQA Guidelines Section 15183.

- No substantial new information has been identified that would result in environmental impacts that are more severe than those analyzed in the Monterey County General Plan EIR. The Project site is already developed, and the Proposed Project would not increase the approved land use designation, development intensity, or density of the site. The Project would not result in new significant impacts, substantially more severe impacts, or peculiar site-specific impacts to environmental resources beyond those previously evaluated in the Monterey County General Plan EIR. Accordingly, no additional environmental review is required pursuant to CEQA Guidelines Section 15183.
- No additional mitigation measures are required beyond those identified in the Monterey County General Plan Environmental Impact Report (EIR), applicable County conditions of approval, and compliance with standard Monterey County and State regulatory requirements related to grading, erosion control, stormwater management, construction practices, and public safety. All temporary construction-related impacts and impacts associated with primarily underground improvements would be less-than-significant and would not result in new or substantially more severe environmental effects beyond those previously analyzed in the General Plan EIR. The Project site is already developed, and all anticipated impacts associated with construction and operation of the Project would be less than significant or would result in no impact. Accordingly, no additional environmental review is required pursuant to CEQA Guidelines Section 15183.

Replacement or Reconstruction Exemption (CEQA Guidelines Section 15302): CEQA Guidelines Section 15302 provides the parameters for use of a categorical exemption (Class 2) for projects involving the replacement or reconstruction of existing structures and facilities where the new structure will be located on the same site as the structure replaced and will have substantially the same purpose and capacity as the structure replaced. Section 15302(c) specifically identifies the replacement or reconstruction of existing utility systems and/or facilities involving negligible or no expansion of capacity. Use of the Class 2 categorical exemption is subject to the exceptions outlined in CEQA Guidelines Section 15300.2, which consist of the following:

- (a) 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.
- (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.
- (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.
- (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 EIR.
- (e) 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 Section 65962.5 of the Government Code.

- (f) **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.

Analysis of the Project's potential to meet the exception criteria is provided below. Additional topic-specific discussion is provided in **Attachment A**.

- (a) **Location:** Location-specific impacts would occur if impacts that are ordinarily insignificant become significant due to being located in a sensitive environmental area. Location-based impacts related to the Project could potentially occur in the CEQA topic areas of Aesthetics, Agricultural and Forestry Resources, Air Quality, Biological Resources, Cultural Resources, Geology and Soils, Hazards and Hazardous Materials, Hydrology and Water Quality, Land Use and Planning, Mineral Resources, Noise, Transportation, Tribal Cultural Resources, Utilities and Service Systems, and Wildfire. Please refer to **Attachment A** for additional discussion on each specific CEQA topic. The Proposed Project is located within existing roadways and developed and/or disturbed areas. The general character of the Project area is low-density residential. There are no location-specific circumstances that would result in ordinarily insignificant impacts becoming significant impacts due to a sensitive environmental area.
- (b) **Cumulative Impact:** Cumulative impacts would occur if successive or concurrent projects are located in the same Project area and would combine to result in a significant impact over time. Cumulative impacts related to the Project could potentially occur in the CEQA topic areas of Agricultural and Forestry Resources, Air Quality, Biological Resources, Energy, Greenhouse Gas Emissions, Hazards and Hazardous Materials, Hydrology and Water Quality, Noise, Population and Housing, Public Services, Transportation, and Utilities and Service Systems. Please refer to **Attachment A** for additional discussion on each specific CEQA topic. The Proposed Project would not result in cumulative construction impacts as no other approved or planned development projects are known to be occurring in the Project area that would overlap with the Proposed Project to create a cumulative impact. Furthermore, once operational, the Proposed Project would be located primarily underground or at existing disturbed sites and would not contribute to any long-term cumulative impacts. As a result, the Proposed Project would not result in or contribute to any cumulative impacts during construction or operation.
- (c) **Significant Effect:** Significant effects would occur if one or more aspects of the Proposed Project would result in a potentially significant impact on the environment. Significant effects related to the Project could potentially occur in any of the CEQA topic areas identified in the CEQA checklist. **Attachment A** provides an analysis of potential impacts as a result of the Proposed Project across all CEQA topical sections. Impacts were determined to be "less-than-significant" or "no impact".
- (d) **Scenic Highways:** There are no scenic resources on the Project site. The Proposed Project site is not located on or near a scenic highway, as shown by the California Department of Transportation's ("DOT's") scenic highway database (Caltrans, 2024). The Proposed Project is approximately 3.5 miles southeast of the nearest state scenic highway (State Route 156 in Prunedale). Therefore, the Proposed Project would not impact 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.
- (e) **Hazardous Waste Sites:** The Proposed Project area is not listed on a hazardous materials site pursuant to Government Code Section 65962.5. The nearest hazardous material site is a closed LUST site located approximately 4,900 feet southeast of the Proposed Project area.
- (f) **Historical Resources:** The Proposed Project is located within existing disturbed areas, including roadways and an existing pump station. No historic resources or eligible historic resources exist on

or adjacent to the Project site. Therefore, the Proposed Project would not cause a substantial adverse change in the significance of any eligible historic resources.

Minor Alterations In Land Use Limitations (CEQA Guidelines Section 15305): CEQA Guidelines Section 15305 provides the parameters for use of a categorical exemption (Class 5) for projects involving minor alterations in land use limitations in areas with an average slope of less than 20 percent, which do not result in any changes in land use or density. Section 15305(b) specifically identifies the issuance of minor encroachment permits. Use of the Class 5 categorical exemption is subject to the exceptions outlined in CEQA Guidelines Section 15300.2, as identified above. None of the listed exceptions would apply to the Proposed Project, as described above.

Conclusions

Based on the analysis contained herein and in **Attachment A**, the Proposed Project is consistent with the development assumptions, land use designations, and applicable policies evaluated in the Monterey County General Plan EIR and would not result in new significant or substantially more severe environmental impacts beyond those previously analyzed. Accordingly, the Proposed Project qualifies for streamlined environmental review pursuant to CEQA Guidelines Section 15183.

In addition, the Proposed Project independently qualifies for the Class 2 categorical exemption under CEQA Guidelines Section 15302 because the Project consists primarily of replacement and reconstruction of existing utility infrastructure involving negligible expansion of capacity. The Proposed Project also qualifies for the Class 5 categorical exemption under CEQA Guidelines Section 15305 because portions of the Project involve minor encroachment and land use limitation alterations within previously disturbed areas that would not result in changes to land use or density.

As further discussed herein and in **Attachment A**, none of the exceptions identified in CEQA Guidelines Section 15300.2 apply to the Proposed Project. Accordingly, no additional environmental review is required under CEQA.

ATTACHMENT A IS ON FILE WITH THE COUNTY OF MONTEREY HOUSING AND COMMUNITY DEVELOPMENT AND IS AVAILABLE UPON REQUEST