

RESOLUTION NO. 2015 - 10

**A RESOLUTION OF THE BOARD OF DIRECTORS OF THE
AVILA BEACH COMMUNITY SERVICES DISTRICT
ADOPTING A NOTICE OF EXEMPTION
AND AUTHORIZING THE GENERAL MANAGER TO FILE A NOTICE OF
EXEMPTION FOR THE BELOW DESCRIBED PROJECT**

WHEREAS, the Avila Beach Community Services District (herein "District") intends to repair sewer collection lines located in the public right of way on San Luis Street and Avila Beach Drive in Avila Beach, CA. (herein referred to as "the Project"; and

WHEREAS, pursuant to the California Environmental Quality Act (herein "CEQA"), a Notice of Exemption was prepared for the Project which is on file with the District office; and

WHEREAS, Public Notice of the proposed Exemption was given as required by Section 21092 of the Public Resources Code; and

WHEREAS, on July 14, 2015 the District, pursuant to the Brown Act and CEQA, held a Public Hearing on the proposed Notice of Exemption, and accepted public testimony regarding the proposed Exemption; and

WHEREAS, based on the information contained in the Notice of Exemption prepared for the Project, the staff report, and testimony received as a result of the public notice, the District, using its independent and objective judgment, finds that a Notice of Exemption is appropriate for the project.

NOW, THEREFORE, BE IT RESOLVED, DETERMINED AND ORDERED by the Board of Directors of the Avila Beach Community Services District as follows:

1. The above recitals are true and correct and are incorporated herein.
2. In accordance with the California Environmental Quality Act, the Notice of Exemption for the Project is hereby approved.
3. The General Manager is authorized to file a Notice of Exemption in compliance with Section 21152 of the Public Resource Code.

Notice of Exemption

Appendix E

To: Office of Planning and Research
P.O. Box 3044, Room 113
Sacramento, CA 95812-3044

County Clerk

County of: San Luis Obispo

From: (Public Agency): Avila Beach Community Services
191 San Miguel Street
Avila Beach, CA 93424

(Address)

Project Title: San Luis Street and Avila Beach Drive Sewer Replacement Project

Project Applicant: Avila Beach Community Services District

Project Location - Specific:

San Luis Street between First and Second Street and; Avila Beach Dr. from San Miguel St. Southerly

Project Location - City: Avila Beach Project Location - County: San Luis Obispo

Description of Nature, Purpose and Beneficiaries of Project:

Replace approximately 350 LF of existing sewer line on Avila Drive and replace approximately 460 LF of existing sewer line on San Luis Street between 1st Street and onto 2nd Street. Existing line have reached the end of their useful life and in need of repair to minimize potential for a sewer overflow/spill.

Name of Public Agency Approving Project: Avila Beach Community Services District

Name of Person or Agency Carrying Out Project: Brad Hagemann, General Manager

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: 15301, class b
- ☐ Statutory Exemptions. State code number: _____

Reasons why project is exempt:

Replacement of existing utility systems in previously disturbed areas.

Lead Agency
Contact Person: Brad Hagemann Area Code/Telephone/Extension: (805) 595-2664

If filed by applicant:

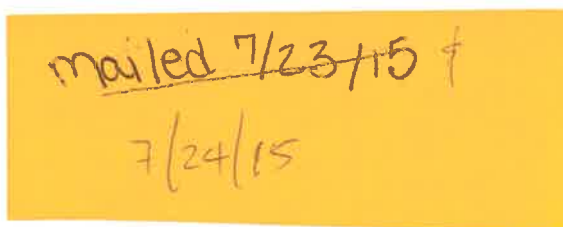
1. Attach certified document of exemption finding.
2. Has a Notice of Exemption been filed by the public agency approving the project? ☒ Yes ☐ No

Signature: Brad Hagemann Date: 7/14/15 Title: General Manager

☒ Signed by Lead Agency ☐ Signed by Applicant

Authority cited: Sections 21083 and 21110, Public Resources Code.
Reference: Sections 21108, 21152, and 21152.1, Public Resources Code.

Date Received for filing at OPR: _____



PASSED AND ADOPTED by the Board of Directors of the Avila Beach Community Services District this 14th day of July, 2015 on the following roll call vote:

ON MOTION of Director Waldron seconded by Director Janowicz , and on the following roll call vote to wit:

AYES: Waldron, Janowicz, Kelley, Helenius

NOES: none

ABSENT: Richards

ABSTAIN: none

The foregoing resolution is hereby adopted this 14th day of July, 2015.



Peter Kelley, President

ATTEST:



Secretary to the Board of Directors