

***SANTA YNEZ COMMUNITY SERVICES DISTRICT***

**MEMORANDUM**

**TO:** Board of Directors  
**FROM:** Wendy Berry, Secretary/Treasurer  
**DATE:** July 21, 2021  
**SUBJECT:** Resolution 21-10 setting forth findings, approving preliminary environmental review form, and authorizing filing notice of exemption relating to capacity fee increases.

**Recommendation**

Adopt Resolution 21-10, setting forth findings, approving preliminary environmental review form, and authorizing filing notice of exemption relating to capacity fee increases and determining the effective date of the new capacity charges.

**Policy Implications**

The District adopted the California Environmental Quality Act (CEQA) Guidelines by Resolution 10-05. CEQA was enacted in 1970 as a system of checks and balances for land-use development and management decisions in California. In general there are three main purposes of CEQA:

- To inform public decision-makers of potential adverse environmental impacts of public or private projects carried out or approved by them.
- To provide for public participation in the environmental review process.
- To identify, and require the implementation of, feasible alternatives or measures that would mitigate (reduce or avoid) a proposed project's adverse environmental impacts.

The District's Environmental Review Committee is required to conduct an environmental review to determine if there will be an environmental impact or not.

**Background**

At the February 17, 2021, meeting, the Board requested Mr. Tuckfield to perform a review of the current capacity fees charged by the CSD. The Board requested Mr. Tuckfield to provide an updated study for presentation and consideration by the Board. The current capacity fee charged to customers for any new connection to the District's sewer system is \$6,336.98 per Equivalent Residential Unit (ERU).

The capacity fees were last reviewed and updated in 2016. The fees have increased annually based on the change in the April Engineering News Record (ENR) Construction Cost Index (CCI) figures. The last comprehensive review of the capacity charges was performed in 1998.

The Board believes it is important to ensure that the current fees charged are a true reflection of the current infrastructure especially when considering the current and future costs to be incurred for the City of Solvang WWTP system upgrades. The Board requested Mr. Tuckfield to review and provide current facility values for existing and future infrastructure for use in calculating, the capacity fees.

Included in the study are the current facility value of assets owned and operated by the CSD that are applicable for capacity fees, the CSD's share of capital projects relating to the City of Solvang WWTP, the value of future CIP projects, and the recommended capacity charges by customer type.

Mr. Tuckfield presented the draft capacity fee study at the June 16, 2021 board meeting where the Board approved the study as it was presented and authorized staff to notice the public hearing and bring the Ordinance to the Board with the effective date to be determined.

Attached is a copy of the final Capacity Charge study prepared by Tuckfield & Associates.

**Discussion**

The District's Environmental Committee has conducted a preliminary review of the Ordinance and has concluded that the adoption thereof is exempt from environmental review under the California Environmental Quality Act ("CEQA") pursuant to Section 21080(b)(8) of the Public Resources Code and Section 15273 of Title 14 of the California Code of Regulations. Said conclusion is set forth in the Preliminary Environmental Review form prepared by the Environmental Committee, a copy of which has been presented to and reviewed by the Board of Directors.

The Committee determined the proposed rate increase is exempt under CEQA. If Resolution No. 21-10 is approved by your Board, staff will file a Notice of Exemption (NOE) with the County Clerk Office.

**Attached:**

Resolution 21-10  
Preliminary Review Form  
Notice of Exemption

## RESOLUTION NO. 21-10

### RESOLUTION OF THE BOARD OF DIRECTORS OF THE SANTA YNEZ COMMUNITY SERVICES DISTRICT SETTING FORTH FINDINGS, APPROVING PRELIMINARY ENVIRONMENTAL REVIEW FORM, AND AUTHORIZING FILING OF NOTICE OF EXEMPTION RELATING TO CAPACITY FEE INCREASES

**WHEREAS**, at its regular meeting on July 21, 2021, the Board of Directors (the “Board”) of the Santa Ynez Community Services District (the “District”) is proposing to adopt Ordinance No. O-21-03 to revise its capacity fees (the “Ordinance”).

**WHEREAS**, the District’s Environmental Committee has conducted a preliminary review of the Ordinance and has concluded that the adoption thereof is exempt from environmental review under the California Environmental Quality Act (“CEQA”) pursuant to Section 21080(b)(8) of the Public Resources Code and Section 15273 of Title 14 of the California Code of Regulations. Said conclusion is set forth in the Preliminary Environmental Review form prepared by the Environmental Committee, a copy of which has been presented to and reviewed by the Board.

**WHEREAS**, the Board desires to adopt certain findings, approve the Preliminary Environmental Review form, and take other actions relating to the adoption of the Ordinance.

**NOW, THEREFORE**, the Board of Directors of the Santa Ynez Community Services District does hereby find, resolve and order as follows:

1. The Board hereby finds that, (i) under Section 21080(b)(8) of the Public Resources Code and Section 15273 of Title 14 of the California Code of Regulations, the revisions to the capacity fees as set forth in the Ordinance are to fund the procurement of equipment and materials and to fund reserves and capital expenses for the District's sewer system, (ii) there is no substantial evidence in the record before the District that the Ordinance or the changes to the capacity fees will have a significant effect on the environment, and (iii) no environmental review is required.
2. The Board hereby approves the Preliminary Environmental Review form prepared by the District’s Environmental Committee.
3. The General Manager of the District is hereby authorized and directed to sign and file with the Santa Barbara County Clerk a Notice of Exemption relating to the adoption of the Ordinance.

**PASSED AND ADOPTED** this 21st day of July, 2021, by the following vote of the Board of Directors of the Santa Ynez Community Services District.

**AYES:**

**NOES:**

**ABSENT:**

**ABSTAIN:**

---

Karen Jones, President of the  
Board of Directors

**ATTEST:**

---

Wendy Berry, Secretary of the  
Board of Directors

**Exhibit A**

PRELIMINARY ENVIRONMENTAL REVIEW

SANTA YNEZ COMMUNITY SERVICES DISTRICT  
1070 Faraday  
P.O. Box 667  
Santa Ynez, CA 93460  
(805) 688-3008

**Name of Project:** Adoption of Ordinance No. O-21-03 Amending Sewer Service Code to Revise Capacity Fees.

**Location:** Santa Ynez Community Services District

Entity or Person Undertaking Project: (Check appropriate box)

- Santa Ynez Community Services District  
 Other: Name: \_\_\_\_\_  
Address: \_\_\_\_\_

**Environmental Committee Determination:**

The District's Environmental Committee, having undertaken and completed a preliminary review of this proposed activity in accordance with the California Environmental Quality Act Guidelines ("CEQA Guidelines") has concluded that:

- A. The activity does not require further environmental assessment because:
- 1. The proposed action does not constitute a project under CEQA Guidelines Section 15378 or is statutorily exempt. Statutory Exemption: Section 21080(b)(8) of Public Resources Code.
  - 2. The project constitutes a feasibility or planning study under CEQA Guidelines Section 15262.
  - 3. The project is an Emergency Project under CEQA Guidelines Section 15269.
  - 4. The project is a Ministerial Project under CEQA Guidelines Section 15268.
  - 5. The project is exempt under CEQA Guidelines Section 15273.
  - 6. The project involves another public agency which constitutes the lead agency. Name of Lead Agency: \_\_\_\_\_

# Notice of Exemption

---

**TO:**  Office of Planning and Research  
P.O. Box 3044  
1400 Tenth Street, Room 222  
Sacramento, CA 95812-3044

**FROM:** Santa Ynez Community Services District  
P.O. Box 667  
Santa Ynez, CA 93460-0667

or

County Clerk  
County of Santa Barbara  
105 E. Anapamu Street  
Santa Barbara, CA, 93101

**Project Title:** Adoption of Ordinance No. O-21-03 Amending Sewer Service Code to Revise Capacity Fees

**Project Location – Specific:** Throughout Santa Ynez Community Services District

**Project Location – City:** Unincorporated Town of Santa Ynez

**Project Location – County:** Santa Barbara

**Description of Project:** Ordinance amending Sewer Service Code to revise capacity fees for users of the District's sewer system.

**Name of Public Agency approving project:** Santa Ynez Community Services District

**Name of Person or Agency carrying out project:** Santa Ynez Community Services District

**Exempt status:** (check one)

- Ministerial project.
- Not a project.
- Emergency Project.
- Categorical Exemption.  
State type and class number:
- Declared Emergency.
- Statutory Exemption.  
State Code section number: Section 21080(b)(8) of Public Resources Code
- Other. Explanation: Section 15273 of Title 14 of California Code of Regulations

**Reason why project is exempt:**

The exemptions contained in Section 21080(b)(8) of the Public Resources Code and Section 15273 of Title 14 of the California Code of Regulations apply and the required findings have been made. There is no substantial evidence that the ordinance or the change in fees will have a significant effect on the environment.

**Lead Agency Contact Person:** Jose Acosta

Telephone: (805) 688-3008

**Signature of Lead Agency Representative:**

**Date Received for Filing:** \_\_\_\_\_

\_\_\_\_\_  
Jose Acosta, General Manager

Dated: July 21, 2021