



Notice of Exemption

To:
Office of Planning and Research
For U.S. Mail:
P.O. Box 3044
Sacramento, CA 95812-3044

From:
Department of Fish and Wildlife
Bay Delta Region
2825 Cordelia Road, Suite 100
Fairfield, CA 94534

Street Address:
1400 Tenth Street
Sacramento, CA 95814

State Clearinghouse Number: N/A

Project Title: SFPP LS-16 Pipeline Exposure at Alameda Creek (Lake or Streambed Alteration Agreement No. 1600-2020-0186-R3)

Project Location: Located in Alameda Creek, south of the Town of Sunol, within the County of Alameda.

Project Description: The California Department of Fish and Wildlife has executed Lake and Streambed Alteration Agreement number 1600-2020-0186-R3, pursuant to Section 1602 of the Fish and Game Code to Patrick Rabin/Kinder Morgan.

The Project includes maintenance activities on a segment of Line Section 16 (LS-16), a 10-inch petroleum products pipeline running between Concord and San Jose, California. The maintenance activities consist of the placement of armoring around an approximately 20-foot exposed section of LS-16.

Public Agency Approving Project: CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE

Person or Public Agency Carrying Out Project: Patrick Rabin/ Kinder Morgan

Exempt Status:

- Statutory Exemption. Section 15284.
 Categorical Exemption. Type –

Reasons why project is exempt: CDFW determined in that capacity that the Project and issuance of this ITP constitutes a Statutory Exemption as defined by CEQA. (Id., § 21080.23; Cal. Code Regs., tit. 14, § 15284). Issuance of the ITP, in this respect, is statutorily exempt from further environmental review under CEQA because under Cal. Code Regs., tit. 14, § 15284 CEQA does not apply to any project consisting of the inspection, maintenance, repair, restoration, reconditioning, relocation, replacement, or removal of an existing hazardous or volatile liquid pipeline or any valve, flange, meter, or other piece of equipment that is directly attached to the pipeline if the pipeline diameter will not be increased and the Project is not located within the boundaries of an oil refinery and it meets the following criteria:

(1) The affected section of pipeline is less than eight miles in length and actual construction and excavation activities are not undertaken over a length of more than one-half mile at a time.

(2) The affected section of pipeline is not less than eight miles distance from any section of pipeline that had been subject to this exemption in the previous 12 months.

(3) The project is not solely for the purpose of excavating soil that is contaminated by hazardous materials.

(4) To the extent not otherwise required by law, the person undertaking the project has, in advance of undertaking the project, prepared a plan that will result in notification of the appropriate agencies so that they may take action, if necessary, to provide for the emergency evacuation of members of the public who may be located in close proximity to the project, and those agencies, including but not limited to the local fire

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department, police, sheriff, and California Highway Patrol as appropriate, have reviewed and agreed to that plan.

(5) Project activities take place within an existing right-of-way and that right-of-way will be restored to its pre-project condition upon completion of the project.

(6) The project applicant will comply with all conditions otherwise authorized by law, imposed by the city or county as part of any local agency permit process, and to comply with the Keene-Nejedly California Wetlands Preservation Act (Public Resources Code Section 5810, et seq.), the California Endangered Species Act (Fish and Game Code Section 2050, et seq.), other applicable state laws, and all applicable federal laws.

CDFW Contact Person: Marcia Grefsrud, Environmental Scientist, (707) 644-2812

Signature:  _____ *Date:* July 15, 2020
Craig J. Weightman, Environmental Program Manager
Governor's Office of Planning & Research

Date received for filing at OPR: Jul 16 2020

STATE CLEARINGHOUSE