

## NOTICE OF EXEMPTION

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**To:** Office of Planning and Research  
Post Office Box 3044  
Sacramento, California 95812-3044

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

**Project Title:** SFPP LS-16 SWML Integrity Digs CA 164 and CA-165 Project

**Specific Project Location:** The SFPP LS-16 SWML Integrity Digs CA 164 and CA-165 Project (Project) includes two Seam Weld Metal Loss (SWML) integrity digs at two locations along the SFPP Line Section 16 (LS-16) pipeline as required by the U.S. Department of Transportation Pipeline and Hazardous Materials Safety Administration located near the Town of Sunol, Alameda County, California.

**Project Location - City and County:** Unincorporated Alameda County.

**Description of Project:** The Project includes two SWML integrity digs along LS-16 which is a 10-inch petroleum products pipeline running between Concord and San Jose, California. These assessments require the Permittee to excavate the pipeline, evaluate the current pipeline condition, and complete repairs, if necessary, by the end of 2022. CDFW has issued the ITP (2081-2022-020-03) in the present case as a lead agency for purposes of CEQA. (Id., § 21067).

**Name of Public Agency Approving Project:** California Department of Fish and Wildlife

**Name of Applicant, Person, or Agency Carrying Out Project:** SFPP, LP

**Applicant Address:** 1001 Louisiana Street, Suite 1400, Houston, TX 77002

**Exempt Status:** Project Statutory Exemption; Pub Resources Code, §§ 21080.21 and 21080.23; Cal. Code Regs, tit. 14, §15284.

**Reasons Why Project is Exempt:** In its capacity as lead agency, CDFW determined that the Project and issuance of the ITP is a statutory exemption relating to pipelines. (Pub. Resources Code, §21080.23; Cal. Code Regs., tit. 14, § 15284). Pursuant to Section 21080.23, the Project is statutorily exempt because 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.

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- (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 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.

**Lead Agency Contact Person:** Marcia Grefsrud, Environmental Scientist, (707) 644-2812

**Signature:** DocuSigned by:  
*Erin Chappell*  
B77E9A8211EF488... **Date:** 7/20/2022

**Name:** Erin Chappell, Regional Manager

**Signed by Lead Agency**                      **Date received for filing at OPR:**  
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**Signed by Applicant**