

Fee Exempt per Government Code Section 6103

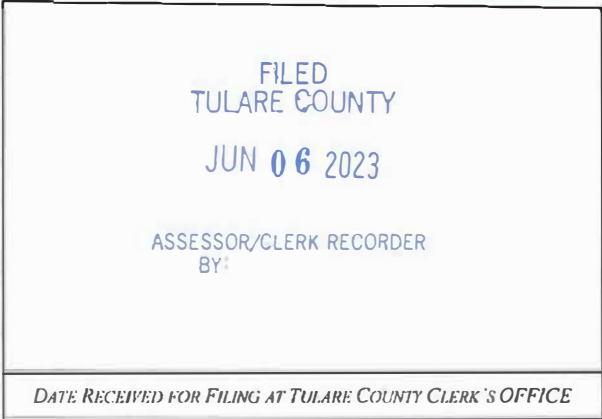
NOTICE OF EXEMPTION

To: [X] Office of Planning and Research
1400 Tenth Street, Room 121
Sacramento, CA 95814

[X] Tulare County Clerk
Room 105, Courthouse
221 South Mooney Blvd.
Visalia, CA 93291

Lead Agency: Tulare County Resource Management Agency
5961 South Mooney Blvd.
Visalia, CA 93277
(559) 624-7000
Attn: hguerra@tularecounty.ca.gov and jwillis@tularecounty.ca.gov

Applicant(s): CalBioGas South Tulare LLC
c/o California Bioenergy LLC
1234 E. Mineral King Avenue.
Visalia, CA 93292
559-334-4213



Project Title: Indemnification Agreement for Encroachment Permits
Project Location - Specific: Various Locations
Project Location - Section, Township, Range: Various sections.
Project Location - City: N/A
Project Location - County: Tulare

Description of Nature, Purpose, and Beneficiaries of Project: CalBiogas South Tulare, LLC (Applicant) proposes to construct pressurized underground gas pipelines within portions of the County of Tulare rights-of-way of Roads. As such the Applicant must enter into an Indemnification Agreement for Encroachment Permits within County rights-of-way for constructing and installing, operating and using, and maintaining, repairing, replacing, servicing and upgrading approximately fifteen and 4/10th miles (15.4 mi.) of a collection pipeline no greater than twelve inches (12 ins.) in diameter solely and exclusively for the purpose of transporting any and all biogas, methane gas, liquids, gases, solids, or any combination thereof. All of Tulare County will benefit as the Project would recover manure methane at dairies and using the methane as a renewable source of natural gas.

- 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));
[X] Common Sense Rule: 14 Cal. Code Regs Section 15061(b)(3);
[ ] Categorical Exemption:
[ ] Statutory Exemptions:

Reasons why project is exempt: The Activity/Project is simply to enter into an Indemnification Agreement for Encroachment Permits with the Applicant that will apply to County of Tulare Rights-of-Way. This Activity/Project is exempt from CEQA pursuant to the "common sense" rule on the grounds that it can be seen with certainty that there is no possibility of a significant effect on the environment (14 Cal. Code Regs. Section 15301(b)(3)). As such, the use of Section 15301(b)(3) is applicable and appropriate.

Name of Public Agency Approving Project: Tulare County, RMA – Economic Development and Planning Branch

Project Planner/Representative: Aaron Bock, Asst. Director-Planning Branch Area Code/Telephone: 559-624-7000

By: [Signature] Date: 6/06/23 Title: Chief Environmental Planner

By: [Signature] Date: 6/6/23 Title: Environmental Assessment Officer - RMA Director

[X] Signed by Lead Agency Date submitted for filing at OPR: \_\_\_\_\_