

Notice of Exemption

To: Office of Planning and Research
PO Box 3044, Room 113
1400 Tenth Street
Sacramento, CA 95812-3044

From: Responsible Agency:
California Energy Commission
Fuels and Transportation Division
715 P Street
Sacramento, CA 95814

Project Title: Multi-Use Hydrogen Refueling Station (MUHRS)

Project Applicant: FirstElement Fuels, Inc.

Project Location - Specific: 33252 Hubert Way

Project Location - City: Kettleman City

Project Location - County: Kings

Description of Nature, Purpose and Beneficiaries of Project:

This project will support the build out of hydrogen refueling infrastructure to support the roll out of fuel cell electric vehicles in California.

FirstElement Fuel, Inc., will design, build, and operate a multi-use hydrogen refueling station at 33252 Hubert Way, Kettleman City, California, 93239, to initiate the medium- and heavy-duty hydrogen refueling station network in California. This project will provide the early experience necessary to optimize retail zero-emission truck hydrogen refueling stations.

Name of Public Agency Approving Project: California Energy Commission

Name of Person or Agency Carrying Out Project: FirstElement Fuel, Inc.

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 and §15303
- Statutory Exemptions. State code number: _____

Reasons why project is exempt:

The project is to develop a multi-use hydrogen refueling station by installing hydrogen storage, compression, and dispensing equipment on a commercial lot in Kettleman City, California. The site is not expected to have any pre-existing environmental sensitivity issues.

Cal. Code Regs., tit. 14, sect. 15301 provides that projects which consist of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, and which involve negligible or no expansion of use beyond that existing at the time of the lead agency's determination, are categorically exempt from the provisions of the California Environmental Quality Act. The proposed project adds equipment to a commercial property currently used as a parking lot and with one existing structure that was previously a tire shop. The site is surrounded by several gasoline stations and fast-food uses. Because the proposed site has a history of automotive uses, the proposed addition of a hydrogen refueling facility will not significantly expand the use beyond that already existing. The estimated footprint of the station is 2,700 square feet, with an estimated excavation area of 3,500 square feet and estimated trenching of 800 feet for utility, electrical,

Notice of Exemption

and mechanical trenches between the hydrogen dispensers and storage equipment. With the equipment installation relatively small, the project falls within section 15301 and will not have a significant effect on the environment.

Cal. Code Regs., tit. 14, sect. 15303 provides that projects which consist of construction and location of limited numbers of new, small facilities or structures; installation of small new equipment and facilities in small structures; and the conversion of existing small structures from one use to another where only minor modifications are made in the exterior of the structure, are categorically exempt from the provisions of the California Environmental Quality Act. The proposed project consists of installation of small new equipment, including hydrogen storage and dispensing equipment with an estimated total footprint of 2,700 square feet, at the site. Therefore, the proposed project falls within section 15303 and will not have a significant effect on the environment.

The project will not impact an environmental resource of hazardous or critical concern where designated, precisely mapped, and officially adopted pursuant to law by federal, state, or local agencies; does not involve any cumulative impacts of successive projects of the same type in the same place that might be considered significant; does not involve unusual circumstances that might have a significant effect on the environment; will not result in damage to scenic resources within a highway officially designated as a state scenic highway; the project site is not included on any list compiled pursuant to Government Code section 65962.5; and the project will not cause a substantial adverse change in the significance of a historical resource. Therefore, none of the exceptions to categorical exemptions listed in CEQA Guidelines section 15300.2 apply to this project, and this project will not have a significant effect on the environment.

Responsible Agency


Contact Person: Jane Berner

Area

Code/Telephone/Extension: (916) 903-4286

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:  Date: 8/11/2023 Title: Air Pollution Specialist

Signed by Responsible Agency Signed By Applicant

Date Received for filing at OPR: _____