

## Notice of Exemption

### Fee Exempt per Government Code Section 6103

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

Tulare County Clerk  
Room 105, Courthouse  
221 South Mooney Boulevard  
Visalia, California 93291

**Lead Agency:** Tulare County- Resource Management Agency  
5961 South Mooney Blvd.  
Visalia, Ca 93277 Ph.: (559) 624-7000  
Attn: [hguerra@tularecounty.ca.gov](mailto:hguerra@tularecounty.ca.gov) & [jwillis@tularecounty.ca.gov](mailto:jwillis@tularecounty.ca.gov)

**Applicant(s):** Tulare County  
5961 South Mooney Blvd.  
Visalia, CA 93277 Phone (559) 624-7150 (County Surveyor's Office)

**Activity/Project Title:** Vacation of Road 46 between Avenue 38 and Avenue 42 and Avenue 38 between Road 44 and Road 48, near the unincorporated community of Alpaugh.

**Activity/Project Location:** Road 46 between Avenue 38 and Avenue 42 and Avenue 38 between Road 44 and Road 48, near the unincorporated community of Alpaugh, Tulare County, CA.

**Activity/Project Location- Section, Township, Range:** South half of southeast quarter of Section 3, and the north half of the northeast quarter of Section 10, all in Township 24 South, Range 23 East, M.D.B.&M.

**Project Location - City:** N/A

**Project Location - County:** Tulare

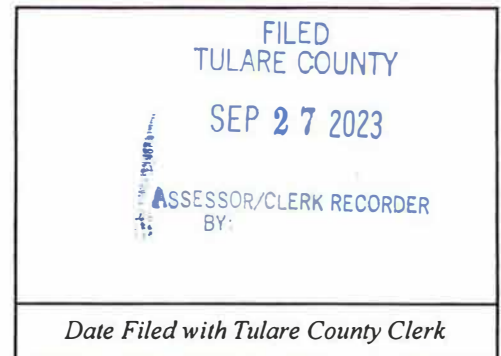
**Description of Nature, Purpose, and Beneficiaries of Project:** This activity will vacate the public road right-of-way interest in Road 46 between Avenue 38 and Avenue 42, and in Avenue 38 between Road 44 and Road 48. The County holds an easement over these segments of unmaintained road right-of-way. Once the Board of Supervisors Resolution approving the vacations is recorded, the easement rights will revert to the underlying fee owners.

The activity was initiated by a petition in conjunction with the Angela Solar Project (Project), related to Tulare County Special Use Permit No. PSP 19-083. The Project owners, who initiated these proceedings, would benefit from the vacations as they are proposing solar installations on both the east and west sides of Road 46. The existence of the right of way would bisect the project, requiring the area to remain open, thus adding expense and inefficiency to the construction and operation of the facility. After the vacations, the underlying owners will have control of the vacated areas as if it were any other part of their property, subject to reserved existing utility rights.

**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));
- Common Sense: CEQA guidelines (14 Cal. Code Regs. Section 15061 (b)(3)) (No Possibility of Significant Impact)
- Categorical Exemption:
- Statutory Exemptions:

**Reasons Why Activity/Project is exempt from CEQA:** The activity is covered by Section 15061 (b)(3), the Common Sense exemption on the grounds that it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA. This exemption is appropriate because the activity are rights of way being vacated by the County in favor of another adjacent owner. Since the activity itself is only a change in title, this activity will not create significant traffic, or vehicle miles traveled, nor will it create any significant effects regarding cumulative impacts, hazardous materials, cultural or biological resources, and no more so, than a County road would have caused, if it had been placed in this location. Therefore, the County as lead agency can say with certainty there is sufficient evidence, logically and by the mere nature of the activity, to conclude that there will not be a significant effect on the environment as defined under State CEQA Guidelines § 15064(b)(1).




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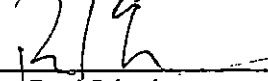
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**Name of Public Agency Approving Activity/Project:** County of Tulare Board of Supervisors

**Activity/Project Representative:** Rob Abrahamian, County Surveyor

**Area Code/Telephone:** 559-624-7150

Signature:  Date: 8/29/23 Title: Chief Environmental Planner  
Hector Guerra

Signature:  Date: 9/26/23 Title: Environmental Assessment Officer  
Reed Schenke  
RMA Director

Signed by Lead Agency

Date received for filing at OPR: N/A