

# 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 Blvd.  
Visalia, CA 93291

FILED TULARE COUNTY
MAY 15 2024
ASSESSOR / CLERK-RECORDER BY:
DATE FILED BY TULARE COUNTY CLERK'S OFFICE

**Lead Agency:** Tulare County  
c/o Resource Management Agency  
5961 South Mooney Blvd  
Visalia, CA 93277 (559) 624-7000  
Attn: [gmills@tularecounty.ca.gov](mailto:gmills@tularecounty.ca.gov) and [jwillis@tularecounty.ca.gov](mailto:jwillis@tularecounty.ca.gov)

**Applicant(s):** Tulare County Public Works  
5961 South Mooney Blvd.  
Visalia, CA 93277 (559) 624-7000

**Project Title:** Calbiogas West Visalia LLC, Encroachment Permit Amendment to Indemnification Agreement 29827

**Project Location - Specific:** Avenue 328, north of the city of Visalia, 3.0 miles of encroachment

**Project Location- Section, Township, Range:** Section 5, Township 21S, Range 25E

**Project Location - City:** North of City of Visalia, CA (nearest)

**Project Location - County:** Tulare

**Description of Nature, Purpose, and Beneficiaries of Project:** The proposed action is an indemnification agreement between the County of Tulare and Calbiogas West Visalia LLC. Calbiogas is proposing to add a gas line in Tulare County Rights of Way for 3.0 miles in total. This indemnification agreement is to protect the County from any liability that may occur due to construction activities. The beneficiaries of the project will be the people of Tulare County because the Confined Animal Confinement Facilities Plan and Dairy Feedlot Climate Action Plan (Aug 2017) Environmental Impact Report Impact 3.7.1 requires feasible project specific GHG reduction measures including in Category B of these measures in Chapter 6 of the ACFP, "biodigesters". Digested gases are further transported to create energy. This is already a mitigation measure, which requires reduced analysis from CEQA.

This is also included in the Short-Live Climate Pollutant Reduction Strategy March 2017 California Environmental Protection Agency Air Resource Board, Methane Emission Reductions from Dairy Manure strategy, to wit:

4) Retain existing manure lagoon management with onsite covered lagoon digestion, and convey biogas to a central location (cluster) via low-pressure collector pipeline for biogas clean-up to produce:

- a) electricity or
- b) pipeline-injected renewable natural gas vehicle fuel."

As such, the proposed Activity/Project would result in implementation of these measures which would provide a benefit by reducing GHG-related emission. Further, GHG-related emissions during construction-related activities would be short-term and temporary in duration.

This process includes biogas from participating dairies entering a facility through a Main Pipeline, which will then be blended with the biogas being piped from the existing bio-digesters, and then the two biogases will be piped into a Biogas Cleanup Area. The citizens of Tulare County (and the San Joaquin Valley Air Basin) will benefit as the project will capture biomethane emissions from dairy lagoons (which will be covered by each of the participating dairies to capture

the biomethane) and then transported via pipeline to facilities where the dairy biogas and the biogas from the existing digesters are blended and then piped to a biogas cleanup area where it is scrubbed and then utilized on site to be used to fuel turbines that generate clean energy.


**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 Rule: CEQA guidelines 15061(b)(3)
- Categorical Exemption:
- Statutory Exemptions:

**Reasons why project is exempt:** The activity/project is consistent with Guidelines Section 15061(b)(3) because the activity/project is undergrounded pipelines to convey gas from digesters to be cleaned and used to create energy. Further, the activity/project will be required to comply with permitting, regulations, etc., from any entity with jurisdictional authority as applicable. There are existing hundreds of miles of pipeline within the County, which has resulted in the County being consistent with its Greenhouse Gas pipeline reduction goals. Therefore, it can be reasonably concluded that proposed activity/project is exempt from California Environmental Quality Act as a commonsense exemption consistent with its General Plan, Zoning, and Rights of Way Ordinance.

**Name of Public Agency Approving Project:** Tulare County Resource Management Agency

**Project Planner/Representative** Reed Schenke, P.E. - RMA Director      **Telephone:** (559) 624-7000

Signature:       Date: 5/14/2024      Title: Chief Environmental Planner  
Gary A. Mills

Signature:       Date: 5/14/24      Title: Environmental Assessment Officer  
Reed Schenke, P.E.      RMA Director

Signed by Lead Agency      Date submitted to the OPR/SCH: \_\_\_\_\_