

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
JUN 26 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 and jwillis@tularecounty.ca.gov

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

Project Title: Amendment to the Indemnification Agreement No. 29805-A with Calbiogas South Tulare, LLC

Project Location - Specific: Near Clinton Avenue/Road 68

Project Location- Section, Township, Range: Section 24, Township 20S, Range 23E Mount Diablo Principal Meridian

Project Location - City: West of Matheny Tract

Project Location - County: Tulare

Description of Nature, Purpose, and Beneficiaries of Project: On August 18, 2020, the Board approved an Indemnification Agreement with Calbiogas South Tulare, LLC, in connection with an application for an encroachment permit, Agreement No. 29805 and Resolution No. 2020-0515. On June 6, 2023, the Board approved a modification to Indemnification Agreement No. 29805 with Calbiogas South of Tulare, LLC, in connection with an encroachment permit to add 6.6 miles of biogas line in the County right -of- way, Agreement 29805-A and Resolution No. 2023-0486.

Recently, Calbiogas has submitted six (6) encroachment permits to the Resource Management Agency proposing to add 16.7 miles of biogas lines to their existing permit (from 15.4 miles to 32.1 miles). The amended indemnification agreement will allow Calbiogas to connect to six (6) additional dairies. The agreement indemnifies the County in connection with the proposed additional miles. All work within the County right-of-way will be performed under an encroachment permit at no cost to the County.

The beneficiaries of the project will be the people of Tulare County because the 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.

This is also included in the Short-Live Climate Pollutant Reduction Strategy (March 2017) California EPA/ARB, 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 that 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)

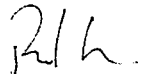
- Ministerial (Sec. 21080(b)(1); 15268);
- Declared Emergency (Sec. 21080(b)(3); 15269(a));
- Emergency Project (Sec. 21080(b)(4); 15269(b)(c));
- Common Sense Rule: CEQA guidelines 15061(b)(3)
- Categorical Exemption: CEQA guidelines 14 CCR § 15303(d)
- Statutory Exemption:

Reasons why project is exempt: The activity/project is consistent with Class 3 Guidelines Section 15303(d) New Construction or Conversion of Small Structures section (d) Water main, sewage, electrical, gas, and other utility extensions, including street improvements, of reasonable length to serve such construction. Upon reaching its destination, the gas delivered from the utility pipelines will eventually be scrubbed (cleaned) and used for vehicles, homes and business/industries. Additionally, the activity/project will be required to comply with permitting, regulations, etc., from any entity with jurisdictional authority, including, but not limited to, the Public Utilities Commission (PUC) and the San Joaquin Valley Air Pollution Control District (SJVAPCD). There are existing hundreds of miles of pipeline within the County that has resulted in the County being consistent with its GHG pipeline reduction goals. Therefore, it can be reasonably concluded that proposed activity/project is exempt from review under CEQA and the State CEQA Guidelines as a new utility pipeline pursuant to Class 3, 14 CCR § 15303 (d).

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: 6/25/2024 Title: Chief Environmental Planner
Gary A. Mills

Signature:  Date: 6/25/24 Title: Environmental Assessment Officer
Reed Schenke, P.E. RMA Director

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