



**Resource Management
Agency
COUNTY OF TULARE
AGENDA ITEM**

BOARD OF SUPERVISORS

KUYLER CROCKER
District One
PETE VANDER POEL
District Two
AMY SHUKLIAN
District Three
EDDIE VALERO
District Four
DENNIS TOWNSEND
District Five

AGENDA DATE: February 11, 2020

Public Hearing Required	Yes	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Scheduled Public Hearing w/Clerk	Yes	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Published Notice Required	Yes	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Advertised Published Notice	Yes	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Meet & Confer Required	Yes	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Electronic file(s) has been sent	Yes	<input checked="" type="checkbox"/>	N/A	<input type="checkbox"/>
Budget Transfer (Aud 308) attached	Yes	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Personnel Resolution attached	Yes	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Agreements are attached and signature line for Chairman is marked with tab(s)/flag(s)	Yes	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
CONTACT PERSON: Celeste Perez PHONE: (559) 624-7010				

SUBJECT: Statutory Exemption for Contractor Storage Yard and Dairy Bio-Gas Upgrading Facility/Goshen

- REQUEST(S):**
That the Board of Supervisors:
1. Adopt the Statutory Exemption prepared pursuant to the California Environmental Quality Act (CEQA) and the State CEQA Guidelines per Section 15268 (b) (1), for a Contractor Storage Yard (Oliver Concrete Products) and a Dairy Bio-Gas Upgrading Facility (CalBioGas-North Visalia LLC); and
 2. Authorize the Environmental Assessment Officer, or designee, to sign and file the Notice of Exemption with the County Clerk.

SUMMARY:
In accordance with the California Environmental Quality Act (CEQA), the County of Tulare, acting as the lead agency for the contractor storage yard and dairy bio-gas upgrading facility, has prepared a Notice of Exemption, consistent with CEQA Guidelines, Statutory Exemption Section 15268 (b) (1) Ministerial Activities.

The subject property is located inside the Urban Development Boundary of Goshen on the west side of Road 68, approximately 700 feet north of Avenue 312 (APN 072-050-018). It is zoned M-2 (Heavy Manufacturing) and designated "Heavy Industrial" by the Goshen Community Plan. Surrounding properties to the south and west are zoned M-1 (Light Manufacturing) and contain facilities owned and operated by Western Milling. Also to the west are railroad tracks and State Route 99. Properties to the north are zoned M-2 and AE-40 (Exclusive Agricultural – 40 Acre Minimum) and contain agriculture (orchards and row crops) and rural residences and

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mobilehomes. On the east side of Road 68 and further north are properties outside the Goshen UDB that are zoned AE-40 and contain agriculture (row crops) and scattered rural residences.

The establishment of a contractor storage yard (concrete building supply) and a dairy bio-gas upgrading facility on a 4.5-acre portion of a 54.37 acre parcel zoned M-2 (Heavy Manufacturing), both are allowed by right per the Tulare County Zoning Ordinance and Goshen Community Plan. The property will be connected to California Water Service for water and to the Goshen Community Services District for wastewater disposal. Currently, the site is fallow land.

The proposed bio-gas upgrading facility project by CalBioGas-North Visalia, LLC, will include an encroachment into County road right of way for a pipeline to cross Road 68, installation and operation of a gas meter set assembly (MSA) or point of receipt, digester type bio upgrading facility equipment, gas pipeline extension, and additional ancillary facilities required to connect to a nearby existing natural gas pipeline system.

The proposed concrete contractor storage yard, Oliver Concrete Products, involves installation of a double-wide office trailer, and grading for parking areas, sand/gravel storage, a maintenance area, and a stormwater retention basin.

In accordance with CEQA, the County has determined that action is consistent with Statutory Exemption Section 15268 (b) (1) Ministerial Issuance of Building Permits, and with Section 15300.4, Application by Public Agencies. The County of Tulare Board of Supervisors adopted an exemption for the issuance of minor encroachment permits for the installation of transverse pipes under road and for the installation of all underground utilities, per the Tulare County Guidelines for the Implementation of California Environmental Quality Act of 1970, Section 300 Class 5 (d) (2) and (5) are applicable and appropriate for this project.

FISCAL IMPACT/FINANCING:

No Net County Cost to the General Fund. The grading and construction will be privately funded. County project processing costs are covered by the applicant through the payment of its application fees.

LINKAGE TO THE COUNTY OF TULARE STRATEGIC BUSINESS PLAN:

This project will promote economic development opportunities, effective growth management and a quality standard of living.

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ADMINISTRATIVE SIGN-OFF:

for 

Aaron R. Bock, MCRP, JD, LEED AP
Assistant Director

for 

Michael Washam
Associate Director



Reed Schenke, P.E.
Director

Attachment(s) Attachment A – Statutory Exemption
 Attachment B – Site Plan

**BEFORE THE BOARD OF SUPERVISORS
COUNTY OF TULARE, STATE OF CALIFORNIA**

IN THE MATTER OF STATUTORY) Resolution No. _____
EXEMPTION FOR CONTRACTOR)
STORAGE YARD AND DAIRY BIO-GAS)
UPGRADING FACILITY/GOSHEN)

UPON MOTION OF SUPERVISOR _____, SECONDED BY
SUPERVISOR _____, THE FOLLOWING WAS ADOPTED BY THE
BOARD OF SUPERVISORS, AT AN OFFICIAL MEETING HELD FEBRUARY 11, 2020,
BY THE FOLLOWING VOTE:

AYES:
NOES:
ABSTAIN:
ABSENT:

ATTEST: JASON T. BRITT
COUNTY ADMINISTRATIVE OFFICER/
CLERK, BOARD OF SUPERVISORS

BY: _____
Deputy Clerk

* * * * *

1. Adopted the Statutory Exemption prepared pursuant to the California Environmental Quality Act (CEQA) and the State CEQA Guidelines per Section 15268 (b) (1) for a Contractor Storage Yard (Oliver Concrete Products) and a Dairy Bio-Gas Upgrading Facility (CalBioGas-North Visalia LLC); and
2. Authorized the Environmental Assessment Officer, or designee, to sign and file the Notice of Exemption with the County Clerk.

Attachment A

Statutory Exemption

Notice of Exemption

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, CA 93291

Dated filed at Tulare County Clerk's Office

Lead Agency: Tulare County Resource Management Agency
5961 South Mooney Blvd.
Visalia, Ca 93277 Ph: (559) 624-7000
Attn: hguerra@co.tulare.ca.us

Applicant(s): Larry P. Oliver, 5917 W. Pershing Avenue, Visalia CA 93291 (559-651-0805)

Activity/Project Title: REA 19-020 Contractor Storage Yard and Digester

Activity/Project Location - Specific: West side of Road 68, @700 feet north of Avenue 312, Goshen (APN 072-050-018)

Activity/Project Location- Section, Township, Range: Section 13, Township 18S, Range 23E, MDB&M

Activity/Project Location - City: In unincorporated community of Goshen **Location - County:** Tulare

Description of Nature, Purpose, and Beneficiaries of Activity/Project:

The activity will allow the establishment of a contractor's storage yard (concrete building supply) and a dairy gas upgrading facility on a 4.5-acre portion of a 54.37 acre parcel zoned M-2 (Heavy Manufacturing). The site is currently fallow land inside the Goshen Urban Development Boundary. The property will be connected to California Water Service and to the Goshen Community Services District for wastewater disposal. Both activities are allowed by right in the M-2 Zone, per the Goshen Community Plan. The proposed digester is a biogas upgrading facility and includes an encroachment permit for a pipeline to cross to the east side of Road 68, installation and operation of a gas meter set assembly (MSA) or point of receipt, gas pipeline extension, and any additional ancillary facilities required to connect to a local existing natural gas pipeline system. The concrete contractor's storage yard involves installation of a double-wide office trailer, and grading for parking areas, sand/gravel storage, a maintenance area, and a stormwater retention basin.

Exempt Status: (check one)

Ministerial: Sec. 21080 (b) (1)

Statutory Exemptions: Section 15268 (b) (1) Ministerial Issuance of Building Permits.

Reasons why Activity/Project is exempt: This activity is consistent with Section 15268 (b) (1) - Ministerial Issuance of Building (& encroachment) Permits, and with Section 15300.4 - Application by Public Agencies. The County of Tulare Board of Supervisors adopted an exemption for the issuance of minor encroachment permits for the installation of transverse pipes under road and of underground utilities, per the Tulare County Guidelines for the Implementation of California Environmental Quality Act of 1970, Section 300, Class 5 (d) (2) and (5). These sections are applicable and appropriate for this activity.

Name of Public Agency Approving Activity/Project: County of Tulare, Resource Management Agency

Activity/Project Planner/Representative: April Hill, Project Planner Area Code/Telephone: 559-624-7108

Signature: _____ Date: _____ Title: Chief Environmental Planner
Hector Guerra

Signature: _____ Date: _____ Title: Environmental Assessment Officer
Reed Schenke, P.E. Director

Signed by Lead Agency

Attachment B

Site Plan

SITE PLAN

