Print Form

Notice of Exemption

Appendix E

To: Office of Planning and Research
P.O. Box 3044, Room 113
Sacramento, CA 95812-3044

County Clerk
County of: Orange
601 N Ross St
Santa Ana, CA 92701

From: (Public Agency): City of Newport Beach
100 Civic Center Drive
Newport Beach, California 92660
(Address)

Project Title: Landfill Gas to Energy Plant Project

Project Applicant: Biofuels Coyote Canyon Biogas

Project Location - Specific:
20662 Newport Coast Drive, Newport Beach CA 92657

Project Location - City: Newport Beach Project Location - County: Orange

Description of Nature, Purpose and Beneficiaries of Project:

The proposed project involves a new renewable natural gas (RNG) processing plant and pipeline interconnection facility. The facility would convert landfill gas from the closed Coyote Canyon Landfill into a pipeline-quality natural gas equivalent. The natural gas equivalent would be injected into SoCal Gas infrastructure through an existing, on site, tie-in point. The RNG Facility and pipeline interconnection facility would have total footprints of approximately 38,500 and 6,000 square feet respectively.

Name of Public Agency Approving Project: City of Newport Beach

Name of Person or Agency Carrying Out Project: Biofuels Coyote Canyon Biogas

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: Section 15308
- ☒ Statutory Exemptions. State code number: Section 21094.5

Reasons why project is exempt:

See attached

Lead Agency
Contact Person: JOSELYN PEREZ Area Code/Telephone/Extension: 949-644-3312

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: Joselyn Perez Date: OCT 16 2025 Title: SENIOR PLANNER

Signed by Lead Agency Signed by Applicant

Authority cited: Sections 21083 and 21110, Public Resources Code.
Reference: Sections 21108, 21152, and 21152.1, Public Resources Code.

Date Received for filing at OPR: _____

☐

The Project is statutorily exempt under Section 21094.5 of the California Public Resources Code which exempts projects where an environmental impact report was certified for a planning level decision in which case, the approval of the infill project is limited to the effects on the environment that (A) are specific to the project or to the project site and were not addressed as significant effects in the prior environmental document, or (B) substantial new information shows the effects will be more significant than described in the prior environmental document. The Project Site is located within the greater boundary of the closed Coyote Canyon Landfill (CCL). The Project Site has historically been used as a renewable energy facility. Specifically, from 1988 to 2015, the Project Site consisted of a facility that converted landfill gas (LFG) generated by the landfill into electricity. Addendum No. 84-104 to Environmental Impact Report No. 507 (SCH No. 82082004) was certified in 1984. Addendum No. 84-104 analyzed the environmental impacts associated with the prior LFG project. The Project involves the same activities as the prior LFG conversion in that it would operate as a Renewable Natural Gas (RNG) Facility that converts LFG generated by the CCL and is statutory exempt from CEQA pursuant to Section 21094.5 of the California Public Resources Code.

The Project is categorically exempt under Section 15308 as set forth in Title 14 of the California Code of Regulations ("CEQA Guidelines") which exempts actions taken by regulatory agencies to assure the maintenance, restoration, enhancement or protection of the environment where the regulatory process involves procedures for protection of the environment. The Project is exempt under Section 15308 in that, instead of flaring exhaust into the atmosphere, the LFG generated by the CCL into a pipeline-quality natural gas equivalent with the RNG being transferred from the facility into Southern California Gas Company infrastructure for use in their system through an existing onsite tie-in point.

