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COUNTY OF SANTA CRUZ

147-25

CITY OF SANTA CRUZ

Notice of Exemption

To: ☑ Clerk of the Board
County of Santa Cruz
Governmental Center
701 Ocean Street
Santa Cruz, CA 95060

☑ Office of Planning and Research
1400 Tenth Street, Room 121
Sacramento, CA 95814
Submitted Electronically

44-11172025-176

From: City of Santa Cruz, Public Works Department, 809 Center Street, Room 201, Santa Cruz, CA 95060

Project Title: Santa Cruz Resource Recovery Facility Enclosed Flare Station Installation Project

Project Address: 605 Dimeo Lane (see Location Map)

Assessor's Parcel No.: APN 59-121-01

Project Location: City of Santa Cruz

County of: City of Santa Cruz

Project Description: The project consists of installation of an enclosed low-nitrogen oxide (Nox) flare to act as the backup landfill gas collection and destruction device for the existing onsite landfill gas collection system and Landfill Gas to Energy (LFGTE) Plant. The purpose of this improvement is to establish a permanent backup flare facility to collect methane gas and burn under regulatory provisions of the Monterey Bay Air Resources District (MBARD) in the event that the LFGTE is temporarily shut down. The facility would be located immediately west of the existing LFGTE Plant.

The project includes construction of an approximately 3,600-square-foot flare station, which would house the low NOx flare station equipment, including the enclosed flare stack, an air compressor, three blowers, a condensate management system, and the equipment control panel. The station would be situated on a concrete pad and would be accessed by an existing landfill road. A three-foot tall concrete retaining wall would be installed on the northern boundary of the new station.

The project also includes:

- Installation of approximately 200 linear feet of landfill gas header pipe to connect the new flare station to the existing LFGTE Plant.
- Installation of a line to tie into the air and condensate management lines from the flare station to the existing LFGTE infrastructure on site.
- Trenching and installing new electrical feed to the flare station, wiring, conduits, and associated electrical components.
- Installation of the 6-foot-high chain link fence and access gates around the new station.

Name of Person or Agency Carrying Out Project: City of Santa Cruz Public Works Department

Name of Public Agency Approving Project: City of Santa Cruz

Exempt Status: (check one)

_____ Ministerial Project (Section 21080(b)(1); 15268).

__✓__ Categorically Exempt (Section 15301).

_____ Declared Emergency (Section 21080(b)(3); 15269(a)).

_____ Emergency Project (Section 21080(b)(4); 15269(b)(c)).

_____ Statutory Exemption (Code/Section _____).

_____ The project clearly will not have a significant effect on the environment (15061(b)(3)).

Background. The City of Santa Cruz (City) Resource Recovery Facility (RRF) is required to have a landfill gas (LFG) collection and control system that continuously extracts gas from the landfill and sends it to a control device such as a flare or engine. To meet this requirement, the City has contracted with a third-party vendor for over 20 years to operate the LFGTE Plant to collect and convert landfill gas into electricity which is sent back into the PG&E grid.

In early 2024, the LFGTE Plant was shut down, at no fault of the City or its vendor, due to damage to PG&E's electrical infrastructure from a February 2024 storm event, which has since been declared as state and federal natural disasters. Given the uncertainty of PG&E's timeline for repair, the City installed a temporary flare for the landfill to re-start collecting and burning LFG given the potential environmental and health and safety risks associated with uncollected LFG. To ensure safety, the City has been monitoring landfill gas migration since the shutdown, and in May 2024 obtained approval from MBARD to operate the temporary flare as a backup LFG destruction device until a permanent flare could be installed. The temporary flare, which is located next to the LFGTE Plant, was installed and began operating in May 2024 until the LFGTE resumed operation in July 2024.

The existing, temporary open flare was meant to be a backup to continue collecting and destroying LFG when the LFGTE Plant is down. It is currently operating under a variance issued by MBARD as the LFGTE plant's backup device and must be removed by July 2026. The new flare would provide a permanent backup to maintain continuous collection and destruction of LFG and prevent the City from violating state law and conditions of the RRF permits.

A location for installation of the permanent enclosed flare station was identified near the existing LFGTE Plant. The project location was chosen due to proximity to the LFGTE Plant to reduce the amount of piping required to connect the two systems; proximity to electrical utilities to reduce the amount of trenching and power utility installation; and ability of the flare stack to maintain required clearances.

Reasons why project is exempt: CEQA provides "categorical exemptions" which are applicable to categories of projects and activities that the Natural Resource Agency has determined generally do not pose a risk of significant impacts on the environment. Section 15301 of the State CEQA Guidelines (Class 1-Existing Facilities) allows for minor alterations to existing structures involving negligible or no expansion of use. Examples cited in the CEQA Guidelines include publicly owned facilities used to

provide power and other public utility services. This categorical exemption is applicable to the project as explained below.

The replacement of an existing temporary back-up methane flare with a new permanent flare represents a minor alteration to an existing facility with no expansion of use. The permanent flare would provide the back-up methane collection system that is needed in order for the City to comply with existing regulations and permits, which require the LTE facility to operate on a continuous 24-hour basis. As such the replacement of the temporary backup flare with a permanent backup flare would be considered minor, and there would be no change to the use of or expansion of the LFGTE Plant. The Class 1 categorical exemption cites minor alterations of facilities and equipment as examples of alterations under this exemption and also includes public-owned facilities that provide power or other public utility services. The City's RRF is a public facility providing waste management services that includes LFG collection and distribution to PG&E's energy grid. Thus, the replacement of the temporary flare with a permanent flare would fall under the Class 1 categorical exemption as set forth in CEQA Guidelines Section 15301.

The City has further considered whether the project is subject to any of the exceptions to the use of a categorical exemption found at CEQA Guidelines Section 15300.2. This section prohibits the use of categorical exemptions under the following circumstances:

(a) for certain classes of categorical exemptions, but not Class 1, due to locations with particularly sensitive environmental conditions;

(b) when the cumulative impact of successive projects of the same type in the same place, over time, is significant;

(c) where there is a reasonable possibility that the activity will have a significant effect on the environment due to unusual circumstances;

(d) where the project may result in damage to scenic resources, including but not limited to, trees, historic buildings, rock outcroppings, or similar resources, within a highway officially designated as a state scenic highway;

(e) where the project is located on a state designated hazardous waste site; and

(f) where the project may cause a substantial adverse change in the significance of a historical resource.

Exception (a) - Location. Classes 3, 4, 5, 6, and 11 are qualified by consideration of where the project is to be located; a project that is ordinarily insignificant in its impact on the environment may in a particularly sensitive environment be significant. Therefore, these classes are considered to apply in all instances, except where the project may impact an environmental resource of hazardous or critical concern where designated, precisely mapped, and officially adopted pursuant to law by federal, state, or local agencies. This exception is not applicable to Class 1 exemption.

Exception (b) - Cumulative Impact. All exemptions are inapplicable when the cumulative impact of successive projects of the same type in the same place, over time is significant. This exception is not applicable because there is no evidence of a potential significant cumulative impact due to successive projects of the same type as the project flare station in the same place. There are no other known projects of the same type planned at the RRF or in the project area that could result in significant cumulative impacts. It is noted that there are some minor drainage improvements

planned at the RFF, but such improvements would not result in cumulative impacts with the project as those improvements are not located in the same area as the project. Therefore, this exception does not apply to the project.

Exception (c) - Significant Effect. A categorical exemption shall not be used for an activity where there is a reasonable possibility that the activity will have a significant effect on the environment due to unusual circumstances. This exception is not applicable because no potential significant impacts have been identified. The project site is not within mapped sensitive biological or archaeological resources area as identified in the City's adopted General Plan 2030 and certified Local Coastal Plan. A biological assessment was conducted at the project site, which is characterized by predominantly non-native plant species, and no special-status plant or wildlife species or potential impacts were identified, except that one San Francisco dusky-footed woodrat nest was identified, which would be avoided with the project site layout. The location of the flare station improvements is located in an area of the RRF that has other facilities and uses. Nonetheless, the City will conduct pre-construction surveys and comply with any applicable measures in the City's approved Operations and Maintenance Habitat Conservation Plan. Thus, the project would not have a significant effect on the environment.

Furthermore, the project would not result in any significant effects on the environment due to unusual circumstances. The RRF supports the City's landfill activities and associated facilities, including an existing Recycling Center. The project provides a permanent backup flare to collect LFG as required by state law and which is applicable to most solid waste (landfill) facility in the state. There are no "unusual circumstances" that differentiates the project from the general class of similar landfill projects. Therefore, the project would not have a significant effect on the environment due to unusual circumstances, and this exemption is not applicable to the project.

Exception (d) - Scenic Highways. A categorical exemption shall not be used for a project which may result in damage to scenic resources, including but not limited to, trees, historic buildings, rock outcroppings, or similar resources, within a highway officially designated as a state scenic highway. This exception is not applicable because the site is not adjacent to or visible from a designated scenic highway. Highway 1, located to the south of the RRF, is identified as being eligible for designation, but is not currently an officially designated scenic highway. Furthermore, due to existing topography and vegetation, the project site is not visible from Highway 1. Therefore, this exemption is not applicable to the project.

Exception (e) - Hazardous Waste Sites. A categorical exemption shall not be used for a project located on a site which is included on any list compiled pursuant to Section 65962.5 of the Government Code. This exception is not applicable because the project site is not an identified hazardous waste site compiled pursuant to Government Code section 65962.5.

Exception (f) - Historical Resources. A categorical exemption shall not be used for a project which may cause a substantial adverse change in the significance of a historical resource. The site is not located within an archaeologically sensitive area as identified in the City's General Plan 2030 and accompanying EIR. There are no structures on the site that will be removed or altered. Therefore, this exception is not applicable to the project.

Therefore, the City is able to document that the project qualifies for the Categorical Exemption found at CEQA Guidelines section 15301, which allows for minor alteration to existing facilities and equipment and installation of new small equipment and structures, respectively. None of the potential exceptions to the use of a categorical exemption apply to this project or the project site.

Lead Agency
Contact Person: Hoi Yu

Phone: (831) 420-5427

Department: Public Works

Address: 809 Center Street, Room 201

Santa Cruz, CA 95060

Signature: Nathan N. Nguyen Digitally signed by Nathan N. Nguyen Date: 2025.11.17 12:55:59 -08'00'

Date: November 17, 2025

Title: Director of Public Works

☑ Signed by Lead Agency

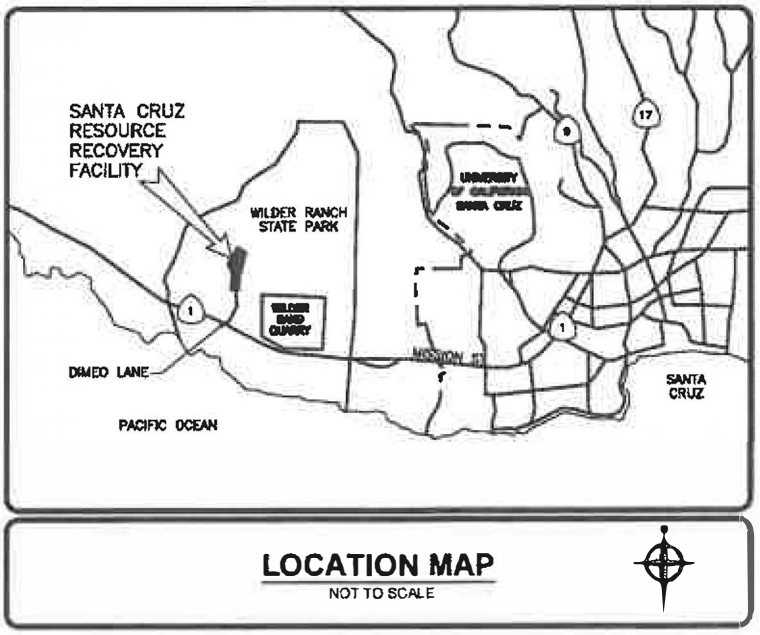
☐ Signed by Applicant

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

Date Received for filing at County Clerk: _____

Date Received for filing at OPR: _____



THIS NOTICE HAS BEEN POSTED AT THE CLERK OF THE BOARD OF SUPERVISORS OFFICE FOR A PERIOD COMMENCING 11/17/2025 AND ENDING 12/22/2025