

**ATTACHMENT 4**

**NOTICE OF EXEMPTION**

**To:**  
Office of Planning and Research  
1400 10th Street, Room 121  
Sacramento, CA 95814

**From:**  
California Tahoe Conservancy  
1061 Third Street  
South Lake Tahoe, CA 96150

**Project Title:** Liberty Utilities Fence Short-Term License Agreement and Permanent Easement

**Project Location – Specific:**

The Liberty Utilities substation and fence is located just east of the intersection of Fern Road and Montreal Road in the City of South Lake Tahoe. A portion of the fence will be located on Conservancy property (El Dorado AN 029-240-001) (Exhibit A).

**Project Location – City:** City of South Lake Tahoe

**Project Location – County:** El Dorado County

**Description of Nature, Purpose, and Beneficiaries of Project:**

The Conservancy is entering into a short-term license agreement authorizing Liberty Utilities (Liberty) to install a fence on Conservancy property. The purpose of the fence is to deter public access to an electric substation on the adjacent Liberty property (El Dorado AN 029-240-005) for public safety. The fence will allow Liberty to comply with the National Electrical Safety Code (2017 NESC Section 110, Table 110-1 for 69kV voltage). Liberty has designed the proposed fence to visually blend in with the surroundings to minimize scenic impact. The Conservancy is entering into a permanent easement with Liberty for fence maintenance.

**Name of Public Agency Approving Project:**

California Tahoe Conservancy (Conservancy Board meeting of 3/17/2022) (Agenda Item 2c)

**Name of Person or Agency Carrying Out Project:** Liberty Utilities

**Exempt Status:**

- Ministerial (§ 15268)
- Declared Emergency (§ 15269(a))
- Emergency Project (§ 15269(b)(c))
- Categorical Exemption – Class 2, § 15302 (see also Cal. Code Regs., tit. 14, § 12102.2.).

**Reasons Why Project is Exempt:**

The construction of the fence is exempt under Class 2 because it involves replacing an existing fence with a new fence where it will have substantially the same purpose and capacity as the existing fence.

**Contact Person:** Nick Meyer

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**Date Received for Filing:**

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Jane Freeman  
Deputy Director