



Hans W. Kernkamp, General Manager-Chief Engineer

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NOTICE OF EXEMPTION

DATE: June 26, 2023

TO: County Clerk, County of Riverside (County)

PROJECT CASE NO/TITLE: NOE 23-05: Renewable Natural Gas (RNG) Facility at the El Sobrante Landfill

PROJECT LOCATION: El Sobrante Landfill, 10910 Dawson Canyon Road, located easterly of Interstate 15 and Temescal Canyon Road, south/southeast of City of Corona in Temescal Valley, California.

PROJECT DESCRIPTION: The Project includes installation and operation of, as well as associated permits and approvals for, a RNG Facility located within the El Sobrante Landfill property. The RNG Facility will process landfill gas (LFG) into RNG.

PUBLIC AGENCY APPROVING PROJECT: County of Riverside
Riverside County Department of Environmental Health, Local Enforcement Agency (LEA)

PROJECT SPONSORS: Department of Waste Resources (RCDWR); USA Waste of California; Toro Energy, LLC.

The project is exempt from the provisions of CEQA, specifically by the State CEQA Guidelines as identified below. The project will not result in any specific or general exceptions to the use of categorical exemptions as detailed under State CEQA Guidelines section 15300.2. The project will not cause any impacts to scenic resources, historic resources, or unique sensitive environments. Further, no unusual circumstances or potential cumulative impacts would occur that may reasonably create a direct or reasonably foreseeable indirect physical environmental impact.

EXEMPT STATUS:

- Ministerial
- Declared Emergency
- Emergency Project
- Statutory Exemption:
- Categorical Exemption

Section 15301, Existing Facilities; 15303, New Construction or Conversion of Small Structures; and 15311, Accessory Structures

Other Exemption: **Section 15061(b)(3), General Rule Exemption**

REASONS FOR EXEMPTION:

Section 15061(b)(3) - General Rule Exemption

The activity is covered by the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no

possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA.

This project is exempt under Section 15061(b)(3) because:

The proposed RNG facility will be located within three previously disturbed areas within the El Sobrante landfill property, designated as South RNG Site, North RNG Site and Gas Point of Receipt (POR). The RNG process begins at the South Site within the limits of the existing LFG flare area. LFG is intercepted prior to reaching the existing flares and diverted to the proposed Compressor Building located west of the existing flares. Once compressed, the gas will be conveyed to the North Site by an underground pipeline, where the LFG will undergo additional processing. Once the gas meets SoCal Gas specifications, it will be diverted to a dedicated underground sales gas main that will be located within the existing pavement or shoulder of the landfill access road. As discussed, construction of the Project will occur within existing disturbed areas. Operation of the RNG facility will divert LFG from the flare stations and utilize the LFG as a renewable energy source. Additionally, the Joint Technical Document (JTD) for the landfill already identifies that LFG could be used for beneficial uses, such as RNG; as such, the Project would not have an effect on environmental resources, as such the Project meets the scope and intent of Section 15061(b)(3), General Rule Exemption.

Based upon the entire record, the Project would not result in the potential for any significant effect on the environment. This determination is an issue of fact and sufficient evidence exists in the record that the activity will not have a significant effect on the environment. As such, the exemption applies and no further evaluation under CEQA is required. See *Muzzy Ranch Co. v. Solano County Airport Land Use Comm'n* (2007) 41 Cal. 4th 372.

Section 15301, Existing Facilities

Class 1 consists of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of use beyond that existing at the time of the lead agency's determination.

This project is exempt under Section 15301 because:

The Project proposes to install and operate a RNG Facility located within three previously disturbed areas. The RNG process begins at the South Site within the existing LFG flare area. The RNG process will intercept the LFG prior to reaching the existing flares and diverted to a proposed Compressor Building located west of the existing flares. Once compressed, the gas will be conveyed to the North Site by an underground pipeline located within the existing pavement or shoulder of the landfill access road. The RNG gas refining process continues at the North Site located within the existing old maintenance facility area (located within the former maintenance yard). The Project proposes to utilize the existing concrete pad and aims to preserve the existing canopy structure within the existing maintenance facility area. Once the gas meets specifications, it is diverted to a POR site (enclosed fenced area) located within the existing pavement or shoulder of Dawson Canyon Road, immediately west of the Temescal Wash bridge adjacent to the driving range. Processing existing LFG that will be diverted from existing flares within three previously disturbed areas will involve negligible or no expansion of existing or former use. As such, the Project is found not to affect any environmental resources; therefore, the Project meets the scope and intent of Section 15301, Categorical Exemption.

Section 15303, New Construction or Conversion of Small Structures

Class 3 consists of construction and location of limited numbers of new, small facilities or structures; installation of small new equipment and facilities in small structures; and the conversion of existing small

structures from one use to another where only minor modifications are made in the exterior of the structure.

This project is exempt under Section 15303 because:

The Project proposes to install and operate an onsite RNG Facility that requires the construction of new small structures and installation of small new equipment and temporary structures within three previously disturbed areas. The RNG Facility proposes the construction of an approximately 2,500 square foot Compressor Building located in the South Site within the limits of the existing LFG flare area. An approximately 3,200 square foot Maintenance Building is also proposed to be located within the South Site for routine equipment maintenance required for the RNG Facility. Once compressed, the gas will be conveyed to the proposed North Site by an underground pipeline located within the existing pavement or shoulder of the landfill access road. An approximately 440 square foot Pump House Building is proposed to be located in the North Site within the existing old maintenance facility area. The RNG process concludes at the SoCal Gas POR that will be located on WMI private property within the existing shoulder turn out. Once the gas meets SoCal Gas specifications, the gas will be diverted to a dedicated underground sales gas main that will be located within the existing pavement or shoulder of the landfill access road to SoCal Gas POR. The sales RNG main will be brought to the POR underground and eventually brought above grade within a fence enclosed POR. The POR Facility proposes a construction area that includes approximately 6,000 square feet of permanent space and a temporary staging area and a temporary workspace within an existing disturbed area. This work would not have a direct, indirect, or cumulatively significant effect on the environment.

The project as proposed meets the scope and intent of the Class 3 Categorical Exemption.

Section 15311, Accessory Structures

Class 11 consists of construction, or placement of minor structures accessory to (appurtenant to) existing commercial, industrial, or institutional facilities.

This project is exempt under Section 15311 because:

The Project proposes to place a minor structure appurtenant to an existing structure within the previously disturbed area at the North site and place temporary structures at the POR site. The Project proposes to utilize the existing concrete pad and aims to preserve the existing canopy structure within the existing old maintenance facility area. One proposed approximately 440 square foot Pump House Building will be located adjacent to the existing canopy. The remaining proposed equipment will be located on separate concrete pads with both above ground and below ground pipe connections. Once the gas meets SoCal Gas specifications, the gas will be diverted to a dedicated underground sales gas main that will be located within the existing pavement or shoulder of the landfill access road to SoCal Gas POR. The sales RNG main will be brought to the POR underground and eventually brought above grade within a fence enclosed POR. SoCalGas will have various pieces of equipment to receive the RNG. The RNG will then be delivered to SoCalGas' main pipeline located underground in the public right-of-way within Temescal Canyon Road. The construction area for the POR facility includes approximately 6,000 square feet of permanent space, and a temporary staging area and a temporary workspace within an existing disturbed area. As such, the Project is found not to affect any environmental resources; therefore, the Project meets the scope and intent of Section 15311, Categorical Exemption.


FINDINGS:

1. Based upon the identified exemptions and justifications above, the RCDWR, on behalf of the County, hereby concludes that no physical environmental impacts are anticipated to occur and the Project as proposed is exempt under CEQA. No further environmental analysis is warranted.

2. The proposed Project is exempt from CEQA pursuant to Section 15061(b)(3), and categorically exempt from CEQA pursuant to Sections 15301, 15303, 15311.
3. It can be seen with certainty that there is no possibility that this Project would have a direct, indirect, or cumulatively significant effect on the environment; therefore, the activity is exempt under CEQA as previously identified.

If there are any questions regarding the above matter, I can be reached at (951) 486-3200.

Hans Kernkamp, General Manager - Chief Engineer
Riverside County Department of Waste Resources

By: 

Katherine Avila

Title: Urban/Regional Planner I

Date: June 26, 2023

DM# 315643