



Andy Cortez, General Manager-Chief Engineer

NOTICE OF EXEMPTION

DATE: December 19, 2024

TO: County Clerk, County of Riverside (County)

PROJECT CASE NO/TITLE: NOE 25-01: First Amended and Restated Master Lease (Master Lease) and First Amended and Restated Waste Delivery Agreement (WDA)

PROJECT LOCATION: Edom Hill Transfer Station (EHTS): 70-100 Edom Hill Rd, Cathedral City, CA 92234

PROJECT DESCRIPTION: Approval of the Master Lease and WDA between the County of Riverside and Burrtec Recovery and Transfer, LLC (Burrtec) for the purpose of updating administrative items, consolidating the five (5) amendments into the Master Lease, extending the lease term from 2032 to 2047, and providing for revised operations at EHTS that include incorporating new accessory structures, enhanced C&D processing, and changes to the organics processing facility. Additional changes include adjusting the disposal rate by \$1 per ton for four consecutive years, beginning in FY 25/26.

PUBLIC AGENCY APPROVING PROJECT: County of Riverside (County)

PROJECT SPONSOR: Department of Waste Resources (RCDWR)

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: Section 15273, Rates, Tolls, Fares Charges
- Categorical Exemption: Section 15301, Existing Facilities
- Other Exemption: Section 15061(b)(3), General Rule

REASONS FOR EXEMPTION:

FILED / POSTED

County of Riverside
Peter Aldana
Assessor-County Clerk-Recorder

E-202500061
01/28/2025 02:43 PM Fee: \$ 50.00
Page 1 of 3

Removed: _____ By: _____ Deputy



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 Project involves approval of the Master Lease and WDA, which consists of updating administrative items, consolidating the five (5) amendments into the Master Lease, extending the lease term from 2032 to 2047, providing for revised operations at EHTS, and adjusting the disposal rate by \$1 per ton for four consecutive years, beginning in FY 25/26. This effort keeps pace with increasing costs and liabilities beyond CPI adjustments and is consistent with the County's prior approvals for the same increase for other transfer station operators (CR&R, Waste Management, and Burrtec-Robert Nelson Transfer Station). The Project would not have a cumulatively significant effect on the environment or environmental resources. As such, the Project meets the scope and intent of Section 15061(b)(3), General Rule Exemption.

Section 15273. Rates, Tolls, Fares, and Charges

CEQA does not apply to the establishment, modification, structuring, restructuring, or approval of rates, tolls, fares, and other charges by public agencies which the public agency finds are for the purpose of:

- Meeting operating expenses, including employee wage rates and fringe benefits,
- Purchasing or leasing supplies, equipment, or materials,
- Meeting financial reserve needs and requirements,
- Obtaining funds for capital projects, necessary to maintain service within existing service areas, or
- Obtaining funds necessary to maintain such intra-city transfers as are authorized by city charter.

This project is exempt under Section 15273 because:

The proposed Project involves the structuring of fees by a public agency for the purpose of meeting operating expenses, financial reserve requirements, and obtaining funds for capital projects necessary to maintain service within existing service areas. As such, the Project meets the scope and intent of Section 15273, Statutory Exemption.

Section 15301 Categorical Exemption.

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 proposed Project involving the Master Lease and First Amended WDA includes updating administrative items, extending the lease term from 2032 to 2047, providing for revised operations at EHTS, and adjusting the disposal rate. EHTS is an existing facility, in operation for the past 20 years. Implementation of the Project would not exceed permitted thresholds and involves negligible expansion of the existing uses. Therefore, the Project as proposed meets the scope and intent of the Class 1 Categorical Exemption.

FINDINGS:

1. Based upon the identified exemptions and justifications above, the RCDWR, on behalf of the County, hereby concludes that the Project is a continuation of the existing use and significant environmental effects are not 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 State CEQA Guidelines sections 15061(b)(3), 15273, and 15301.
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.

**Andy Cortez, General Manager - Chief Engineer
Riverside County Department of Waste Resources**

By: Aliah Mitchell
Aliah Mitchell

Title: Assistant Planner

Date: December 19, 2024

DM# 346508