



Hans W. Kernkamp, General Manager-Chief Engineer

FILED / POSTED

County of Riverside
Peter Aldana
Assessor-County Clerk-Recorder

E-202300197
02/22/2023 01:47 PM Fee: \$ 50.00
Page 1 of 3

Removed: By: Deputy



NOTICE OF EXEMPTION

DATE: February 22, 2023

TO: County Clerk, County of Riverside (County)

PROJECT CASE NO/TITLE: NOE 23-01: Solid Waste Facility Permit Modification, Joint Technical Document (JTD) No. 8 at the Blythe Landfill

PROJECT LOCATION: 1000 Midland Road, Blythe, CA

PROJECT DESCRIPTION: JTD 8 updates the estimated landfill closure date from 2047 to 2052, allows non-hazardous asbestos waste to be accepted at the landfill, and increases the permitted disturbance area by one (1) acre, from 335 to 336, to accommodate space for the relocated metal recycling yard.

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

PROJECT SPONSORS: 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:
- Categorical Exemption **Section 15301, Existing Facilities; 15304, Minor Alterations of Land; 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 remaining airspace capacity at the landfill has increased due to a decrease in landfilled tonnage during the last five years. This increase in the landfill's capacity extends the estimated closure date from 2047 to 2052. The Project proposes to accept non-hazardous asbestos waste as part of JTD 8. Non-friable asbestos waste and waste containing less than 1% friable asbestos are classified as non-hazardous waste and will, therefore, have a negligible effect on the environment. Additionally, the Blythe landfill is comprised of 365 total acres, of which 335 are permitted for landfill activities. The Project also proposes to increase the existing permitted disturbance area by 1.0 acre from 335 acres to 336 acres to accommodate space for the relocation of the metal recycling yard. The Blythe landfill already contains a metal recycling yard within the permitted disturbance landfill area. The relocation of the metal recycling yard would allow for the gate fee attendant to monitor the use of the metal yard to ensure proper use and orderly unloading of metal recycling materials by customers. The 1-acre proposed to be included to the total permitted disturbance area is within a 30-acre area of land recently purchased by RCDWR. The land was formerly utilized by the previous owner and shows signs of land disturbance, including soil stockpiles and does not contain any natural drainages or other biological features. Furthermore, the Project site is surrounded by the landfill to the north and east and by farmland to the southwest with no sensitive receptors in any direction. The use of the 1-acre area for ancillary uses would not have a direct, indirect, or cumulatively significant effect on the environment. 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 15306 because:

The Project proposes to accept non-hazardous asbestos waste, extend the landfill closure date from 2047 to 2052, and increase the existing permitted disturbance area by 1.0 acre from 335 acres to 336 acres to accommodate the relocation of the metal recycling yard. The space allocated for the metal recycling yard within the 1-acre area would be negligible. The negligible use of the 1-acre for operations already occurring (metal and mattress recycling) at the existing facility would not have a direct, indirect, or cumulatively significant effect on the environment. Extending the landfill closure date will allow a continuation of the existing use of the site and will cause a negligible effect on the environment. Additionally, the acceptance of non-friable asbestos waste and waste containing less than 1% friable asbestos are consistent with the current use of the site as a non-hazardous waste disposal facility, and this will cause a negligible environmental effect. 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 15304, Minor Alterations of Land

Class 4 consists of minor public and private alterations in the condition of land, water, and/or vegetation which do not involve removal of healthy, mature, scenic trees except for forestry or agricultural purposes.

This project is exempt under Section 15304 because:

The Project proposes to increase the existing permitted disturbance area by 1.0 acre from 335 acres to 336 acres for a concrete pad to accommodate the relocation of the metal recycling yard. The concrete pad for the metal recycling yard within the 1.0 acre area would involve minor alterations of land, namely grubbing and minor grading for pad preparation. The area planned to be disturbed does not contain any healthy, mature, or scenic tree for forestry or agricultural purposes. As such, the Project is found not to affect any environmental resources; therefore, the Project meets the scope and intent of Section 15304, 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 increase the existing permitted disturbance area by 1.0 acre from 335 acres to 336 acres to accommodate space for a concrete pad for the relocation of the metal recycling yard. The concrete pad for the metal recycling yard would serve as an accessory structure for an existing permitted landfill and does not propose changes to its current operations as a result construction of the concrete pad. 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, 15304, 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: *Kinika Hesterly*
Kinika Hesterly

Title: Principal Planner

Date: February 22, 2023