



Hans W. Kernkamp, General Manager-Chief Engineer

FILED / POSTED

County of Riverside  
Peter Aldana  
Assessor-County Clerk-Recorder

E-202100082  
01/27/2021 08:34 AM Fee: \$ 50.00  
Page 1 of 4

Removed: \_\_\_\_\_ By: \_\_\_\_\_ Deputy

**NOTICE OF EXEMPTION**

**DATE:** January 27, 2021  
**TO:** County Clerk, County of Riverside  
**PROJECT CASE NO/TITLE:** NOE 21-01 – Soil Sampling, Repairs, and Drainage Improvements at the Closed Valle Vista Landfill

**PROJECT LOCATION:** The Valle Vista Landfill is located in the unincorporated Valle Vista community, along the north side of Fairview Avenue and Tiber Street - APNs: 549-030-074, 549-030-035 (Lake Hemet Municipal Water District properties), and 549-030-073 (Western Riverside County Regional Conservation Authority property).

**PROJECT DESCRIPTION:** The Project involves sampling, landfill repairs, and drainage improvements, as well as associated contract documents and permit approvals, at the closed Valle Vista Landfill (Project)

**PUBLIC AGENCY APPROVING PROJECT:** County of Riverside (County)

**AGENCY CARRYING OUT PROJECT:** 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: Activity
- Declared Emergency
- Statutory Exemption: Section 15269, Emergency Projects
- Categorical Exemptions: Sections 15301, 15302, 15304, and 15306
- Other Exemption: Section 15061(b)(3), Common Sense Exemption

**REASONS FOR EXEMPTION:**

**Section 15061(b)(3) of CEQA Guidelines, Review for Exemption**

The activity is covered by the common sense exemption 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 Project proposes sampling of soil, removal of refuse material, and the subsequent consolidation of refuse within the landfill footprint, as well as landfill cover repairs. The Project will not result in a significant environmental impact and does not bring about any new or significant changes to the physical condition of the property. RCDWR will comply with the standard regulatory requirements for construction projects ( SWPPP, etc.), as well as perform required pre-construction surveys in accordance with the western Riverside County Multiple Species Habitat Management Plan (MSHCP). Therefore, 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 15269, Emergency Projects**

This exemption covers emergency repairs to publically or privately owned service facilities necessary to maintain service essential to the public health, safety or welfare, as well as specific actions necessary to prevent or mitigate an emergency.

**This project is exempt under Section 15269 because:**

The repairs proposed are necessary to protect public health, safety, and welfare from exposed refuse and soil contamination by removing refuse and the potentially contaminated soil and consolidating it within the existing landfill footprint. Once consolidated, adequate cover material will be added to the landfill surface, and drainage systems will be improved to prevent further erosion at the site, which if left unchecked may continue to unearth additional contents of the landfill. The exposed material is located within the drainage flow path which flows towards the San Jacinto River. Exposed landfill material could migrate off-site and potentially impact public health and safety. Therefore, the Project as proposed meets the scope and intent of the statutory exemption stated in section 15269 of the State CEQA Guidelines.

**Section 15301, Existing Facilities**

This exemption covers the operation, repair, maintenance, permitting, leasing, licensing, minor alteration, or demolition and removal of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of existing or former use.

**This project is exempt under Section 15301 because:**

The Project proposes sampling of soil, removal of refuse material from its current location and consolidating it within the landfill footprint, and landfill cover repairs at an existing facility. This involves negligible or no expansion of use beyond that existing at the time the facility was approved for operation. Therefore, the Project as proposed meets the scope and intent of the Class 1 Categorical Exemption.

### **Section 15302, Replacement or Reconstruction**

This exemption consists of replacement or reconstruction of existing structures and facilities where the new structure will be located on the same site as the structure replaced and will have substantially the same purpose and capacity as the structure replaced.

#### **This project is exempt under Section 15302 because:**

The proposed Project will repair/restore the existing landfill by removing landfill material from erosion areas and consolidating it within the landfill footprint, restoring and improving site drainage systems, and reinforcing the landfill cover. The reconstruction work will allow all material to remain onsite and allow the landfill to keep the same purpose and capacity. Therefore, the Project as proposed meets the scope and intent of the Class 2 Categorical Exemption.

### **Section 15304, Minor Alterations to Land**

This exemption covers minor public or private alterations in the condition of land, water, and/or vegetation which do not involve removal of healthy, mature, scenic trees. This includes minor disturbance of land and backfilling where the surface is restored.

#### **This project is exempt under Section 15304 because:**

The proposed landfill material consolidation and repair activities will consist of minor excavations and fill containing material compatible with the natural features of the site. Due to the previous disturbance and current use of the site, no healthy, mature, scenic trees are present in the project area. All waste containing areas subject to excavation will be restored once excavation activities are complete. Therefore, the Project as proposed meets the scope and intent of the Class 4 Categorical Exemption.

### **Section 15306, Information Collection**

This exemption covers basic data collection, research, experimental management, and resource evaluation activities which do not result in a serious or major disturbance to an environmental resource.

#### **This project is exempt under Section 15306 because:**


The proposed Project includes soil sampling to research the presence of landfill contamination. Once sampling occurs and a determination of the presence of contamination is understood. Any contamination and waste containing areas subject to sampling and excavation will be restored with clean soil. This work will not involve serious or major disturbance to an environmental resource. Therefore, the Project as proposed meets the scope and intent of the Class 6 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 State CEQA Guidelines sections 15061(b)(3), 15269, 15301, 15302, 15304, and 15306.
- 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 from the provisions of CEQA.

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

Title: Urban/Regional Planner IV

Date: January 27, 2021