

DTTO

**NOTICE OF EXEMPTION**

**FILED / POSTED**

County of Riverside  
Peter Aldana  
Assessor-County Clerk-Recorder  
E-202100385  
04/26/2021 08:09 AM Fee: \$ 50.00  
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**FROM:** Riverside County Office of Education  
Operational Support Services  
Administration and Business Services  
4383 Tequesquite Avenue  
Riverside, CA 92501

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


**Project Title:** Relocation of Existing Powerlines Project

**Project Location (Specific):** 13<sup>th</sup> Street between Brockton Avenue and Almond Street

**Project Location (City):** Riverside

**Project Location (County):** Riverside

**Project Description:** Riverside County Office of Education (RCOE) submitted an application to Riverside Public Utilities to relocate existing power poles and overhead powerlines from the north side to the south side of a two-block stretch of 13<sup>th</sup> Street within the developed urban area of the City of Riverside (City). The south-side right-of-way of 13<sup>th</sup> Street currently contains two power poles, and at the completion of the proposed project, it would have four power poles, for a net addition of two poles. The construction work on the south side of 13<sup>th</sup> Street would relocate the overhead lines from the north side to the south side of the street and replace two existing wood poles and install two steel poles and two wood poles. See attached Site Plan. This stretch of 13<sup>th</sup> Street is currently surrounded by RCOE buildings to the north and Grant Elementary School to the south, which is owned and operated by Riverside Unified School District (RUSD).

**Name of Public Agency Approving Project:** RCOE

**Name of Person or Agency Carrying Out Project:** RCOE, Jessica Mears, Coordinator, Facilities Planning and Construction

**Exempt Status:**

- Ministerial (Sec. 21080(b)(1); 15268);
- Declared Emergency (Sec. 21080(b)(3); 15269 (a));
- Emergency Project (Sec. 21080(b)(4); 15269(b)(c));
- Categorical Exemption (Section 15301 – Existing Facilities, and Section 15302 - Reconstruction and Replacement)
- Statutory Exemption (Code/Section \_\_\_\_\_);
- The project clearly will not have a significant effect on the environment (15061(b)(3)).

**Reasons why project is exempt:** The California Environmental Quality Act (CEQA) provides several “categorical exemptions” which are applicable to categories of projects and activities that the State has determined generally do not pose a risk of significant impacts on the environment. The project consists of relocating existing power poles and overhead powerlines from the right-of-way on the north side to the right-of-way on the south side of 13<sup>th</sup> Street within the developed urban area of the City. The project is exempt under Section 15301 and 15302 of the State CEQA Guidelines established for existing structures.

Section 15301 – Existing Facilities includes “minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features involving negligible or no expansion of existing or former use. An example listed in the CEQA Guidelines section includes “existing facilities of both investor and publicly-owned utilities used to provide electric power, natural gas, sewerage, or other public utility services.”

Section 15302 - Reconstruction and Replacement” includes “existing structures 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.” An example listed in the CEQA Guidelines section includes “replacement or reconstruction of existing utility systems and/or facilities involving negligible or no expansion of capacity.”

The reasons why the proposed project meets each condition follows:



- i) The project involves relocating existing power lines 30 feet within the same right-of-way of 13<sup>th</sup> Street from the north side to the south side of the street.
- ii) The project does not involve increasing the capacity, span, or kilovolts of the power lines. The use of the power lines will not change.

**Exceptions:** CEQA Guidelines Section 15300.2 identifies specific instances where exceptions to exemptions apply. The reasons why the exceptions do not exist for the proposed project follows each of the listed exceptions:

- (a) *Location. Classes 3, 4, 5, 6 and 11 are qualified by consideration of where the project is to be located – a project that is ordinarily insignificant in its impact on the environment may in a particularly sensitive environment be significant. Therefore, these classes are considered to apply in all instances, except where the project may impact on an environmental resource of hazardous or critical concern where designated, precisely mapped, and officially adopted pursuant to law by federal, state, or local agencies.* Section 15300.2(a) does not apply to the Class 1 and 2 categories of exemptions. Nonetheless, the project site is not located in area of sensitive or critical concern.
- (b) *Cumulative Impact. All exemptions for these classes are inapplicable when the cumulative impact of successive projects of the same type in the same place, over time is significant.* There is no evidence of a potential significant cumulative impact because successive projects of the same type have not been approved and are not currently proposed. Cumulative impacts related to development accommodated by the City's *General Plan 2025* were found to be less than significant in the General Plan EIR, except for potential significant cumulative impacts related to: agricultural resources, air quality, hydrology, noise, population and housing, recreation, transportation/traffic, and utilities. The project is located in an urban, downtown environment and the potential for cumulatively significant impacts to agricultural resources does not exist.

There are two construction projects underway directly north and south of the proposed stretch of 13<sup>th</sup> Street. On the south side of 13<sup>th</sup> Street, RUSD is renovating the interior of Grant School and expanding the existing parking lot along 13<sup>th</sup> Street. On the north side of the street, RCOE is constructing a new 3-story parking structure with administrative offices on the fourth floor. The proposed project involves the relocation of the existing utility lines and does not add to the cumulative impact. There are no other projects of the same type and in proximity whose air quality, hydrology, or noise impacts would co-mingle with the proposed project and create a cumulatively significant impact. The proposed project would not induce growth, displace housing, or impact recreational resources. The project would not result in significant agricultural, air quality, hydrology, population and housing, recreation, traffic, or utilities impacts and no mitigation is required. There are no other cumulative projects of the same type, time and in proximity whose impacts would coincide with the proposed project and create a cumulatively significant impact. Exception 15300.2 (b) does not apply.

- (c) *Significant Effect. A categorical exemption shall not be used for an activity where there is a reasonable possibility that the activity will have a significant effect on the environment due to unusual circumstances.* The project is located in the downtown portion of Riverside that is known for containing historic buildings, and experiences traffic congestion during the a.m. and p.m. peak commute periods. See (f) below – Historical Resources. The proposed project would not result in an increase in traffic, with the exception of minimal, temporary construction traffic along the City right-of-way. Temporary, minor increases in construction traffic impacts for a project this size are not considered significant per CEQA guidelines.

Title 5 of the California Code of Regulations sets standards for distances of school sites to power lines. For 69kV lines, Title 5 stipulates 100 feet from the school property line to the right-of-way property line containing the power lines. The existing 69kV lines on the north side of 13<sup>th</sup> Street are 50 feet from the Grant School property line. The proposed project would not create a new issue in this regard. The proposed relocation of the 69kV lines would reduce the existing condition of 50 feet to 5 feet from the property line. No equipment is proposed within the Grant School property. RUSD is currently utilizing Grant School as an administration site and recently renovated the site and building accordingly. If in the future RUSD converted the site back to a school, the proposed project would not preclude that use, as the proposed power lines would be 145 feet from the Grant School building. The California Department of Education has an exemption for limited-use activities within the setback distances. The Grant School has parking, loading zones, landscaping, and temporary administration buildings in the 145 feet between the proposed right-of-way and the Grant School building. Therefore, the proposed project would result in a significant effect on the environment. Exception 15300.2 (c) does not apply.

- (d) *Scenic Highways. A categorical exemption shall not be used for a project which may result in damage to scenic resources, including but not limited to, trees, historic buildings, rock outcroppings, or similar resources, within a highway officially designated as a state scenic highway. This does not apply to improvements which are required as mitigation by an adopted negative declaration or certified EIR.* There are no scenic resources within a highway officially designated as a state scenic highway in proximity to the project site. Exception 15300.2 (d) does not apply.
- (e) *Hazardous Waste sites. A categorical exemption shall not be used for a project located on a site which is included on any list compiled pursuant to Section 65962.5 of the Government Code.* The project site is not listed on any hazardous site lists compiled pursuant to Section 65962.5 of the Government Code. Exception 15300.2 (e) does not apply.
- (f) *Historical Resources. A categorical exemption shall not be used for a project which may cause a substantial adverse change in the significance of a historical resource.* In 2019, a cultural resources study was prepared for the RCOE property directly

north of 13<sup>th</sup> Street, and included an analysis of adjacent and nearby historic resources, of which two are within one block of the project site. 1) 4315 Brockton Avenue was a Classical Revival residence that was evaluated by City staff in 1979 as eligible for listing in the National Register of Historic Places. It was converted into a medical office and now appears to be vacant. This resource will not be affected directly or indirectly from the project. 2) The second site, Grant School, was determined to consist of Mission Revival style built in 1933 designed by locally significant architect G. Stanley Wilson along with Albert Haight. This school was evaluated by City staff in 1979 as eligible for listing in the National Register. This site is directly south of the proposed stretch of 13<sup>th</sup> Street. The overhead lines would be approximately 60-70 feet high above the street right-of-way and would not obstruct views of the site. The primary Grant School entrance faces 14<sup>th</sup> Street, and the backside of the school site faces 13<sup>th</sup> Street. The 1933 school building is separated from 13<sup>th</sup> Street property line by approximately 145 feet of parking, loading zones, landscaping, and temporary administration buildings. There are two existing wood power poles within the Grant School 13<sup>th</sup>-Street-right-of-way. The proposed project would result in two additional steel power pole within this right-of-way; no equipment would be within the Grant School property. The proposed project would not result in a significant impact to the Grant School or to this historic resource. Exception 15300.2 (f) does not apply.

Lead Agency Contact Person: Jessica Mears

Area Code/Telephone/Extension: (951) 826-6516

If filed by applicant:

1. Attach certified document of exemption filing.

2. Has a Notice of Exemption been filed by the public agency approving the project?  Yes  No

Signature: Mase Aranda Date: 3/2/21 Title: Project Facilities Manager

- Signed by Lead Agency  
 Signed by Applicant

Date received for filing at OPR: