

County of Riverside
Facilities Management
3450 14th Street, Riverside, CA 92501

FOR COUNTY CLERK USE ONLY

NOTICE OF EXEMPTION

February 27, 2024

Project Name: Transportation Land Management Agency (TLMA), First Amendment to the Lease Agreement with DBP 1-3 LLC, Palm Desert

Project Number: FM042550002000

Project Location: 77-588 El Duna Court, Suites H and I, west of west of El Viento Road, Palm Desert, California, 92211; Assessor's Parcel Number (APN) 626-420-051

Description of Project: TLMA has been under lease at 77-588 El Duna Court, Suites H and I, Palm Desert since July 16, 2013. This location and office continue to meet the needs of TLMA with providing its planning and code enforcement services for the desert region. Given the area growth since 2013, services being provided have increased along with associated staffing, and additional office space is needed. This First Amendment to Lease (First Amendment) represents a request to expand the allocation of existing building space by 5,000 square feet and extend the lease ten years. Tenant improvements are included within the expansion space to accommodate the additional allocated space and are to be completed by Lessor and reimbursed upon completion by the County. Approval of the First Amendment to the Lease Agreement is identified as the proposed project under the California Environmental Quality Act (CEQA). The proposed project would involve the use of space within an existing light industrial building. No expansion of the footprint or increase in capacity of use would occur as a result of the First Amendment. The operation of the facility will result in the use of an existing building and no additional direct or indirect physical environmental impacts are anticipated.

Name of Public Agency Approving Project: Riverside County

Name of Person or Agency Carrying Out Project: Riverside County Facilities Management

Exempt Status: State CEQA Guidelines Section 15301, Class 1, Existing Facilities Exemption; Section 15061(b) (3), General Rule or "Common Sense" Exemption. Codified under California Code of Regulations Title 14, Article 5, Section 15061.

Reasons Why Project is Exempt: The proposed project is categorically 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 the categorical exemption as detailed under State CEQA Guidelines Section 15300.2. The project will not cause an impact to an environmental resource of hazardous or critical concern nor would the project involve unusual circumstances that could potentially have a significant effect on the environment. The project would not result in impacts to scenic highways, hazardous waste sites, historic resources, or other sensitive natural environments, or have a cumulative effect to the environment. No significant environmental impacts are anticipated to occur with the First Amendment to the Lease Agreement and interior tenant improvements.

- Section 15301 – Class 1 Existing Facilities Exemption:** This categorical exemption includes the operation, repair, maintenance, leasing, or minor alteration of existing public or private structures or facilities, provided the exemption only involves negligible or no expansion of the previous site’s use. The project, as proposed, is limited to a lease agreement for continued use of space within an existing industrial building with interior improvements to make the space functional for TLMA. The project will increase the amount of leased office space but would not substantially increase or expand the planned use of the site, and is limited to the continued use of the industrial building in a similar capacity; therefore, the project is exempt as the project meets the scope and intent of the Class 1 Exemption identified in Section 15301, Article 19, Categorical Exemptions of the CEQA Guidelines.
- Section 15061 (b) (3) – “Common Sense” Exemption:** In accordance with CEQA, the use of the Common Sense Exemption is based on the “general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment.” State CEQA Guidelines, Section 15061(b) (3). The use of this exemption is appropriate if “it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment.” *Ibid*. This determination is an issue of fact and if sufficient evidence exists in the record that the activity cannot have a significant effect on the environment, then the exemption applies and no further evaluation under CEQA is required. See *No Oil, Inc. v. City of Los Angeles* (1974) 13 Cal. 3d 68. The ruling in this case stated that if a project falls within a category exempt by administrative regulation or 'it can be seen with certainty that the activity in question will not have a significant effect on the environment', no further agency evaluation is required. With certainty, there is no possibility that the project may have a significant effect on the environment. The proposed First Amendment to the Lease Agreement will not result in any direct or indirect physical environmental impacts. The use and operation of the facility will continue to operate as an existing light industrial use and will not create any new environmental impacts to the surrounding area. No impacts beyond the ongoing, existing use of the site would occur. Therefore, in no way, would the project as proposed have the potential to cause a significant environmental impact and the project is exempt from further CEQA analysis.

Therefore, the County of Riverside Facilities Management 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.

Signed:  **Date:** 2-27-2024
 Mike Sullivan,
 County of Riverside, Facilities Management