

County of Riverside  
Facilities Management  
3450 14<sup>th</sup> St, 2<sup>nd</sup> Floor, Riverside, CA

FOR COUNTY CLERK USE ONLY

## NOTICE OF EXEMPTION

May 15, 2024

**Project Name:** Approval of First Amendment to the License and Operating Agreement with Pickering Events for the Indio Fairgrounds, Indio

**Project Number:** FM04341013300

**Project Location:** 82-503 Highway 111, east of Arabia Street, Indio, California, Assessor's Parcel Number (APN): 614-040-006

**Description of Project:** On June 7, 2022, the Board of Supervisors approved Minute Order 3.12, the License and Operating Agreement by and between County of Riverside and Pickering Events, LLC to operate and maintain the county owned property located at 82-503 Highway 111, Indio, CA, 92201 known as the Riverside County Fairgrounds (Fairgrounds). The Fairgrounds encompass approximately 91 acres with facilities that include multiple buildings, an open-air amphitheater, and a grandstand arena.

Facilities Management – Real Estate (FM-RE) now proposes to update the Agreement through this First Amendment to the License and Operating Agreement (Agreement) to update the leased area designations including an existing parking lot that is within the northeast area of the Fairgrounds to the tenant and the transfer of an area adjacent to the existing Riverside County Fire Maintenance Facility (Facility) from oversight by the tenant to the Fire Department.

The County shall have the right to monitor the activities during Interim Events and the annual Fair. The Fair Board will be provided with separate all-access badges and convenient staff parking during the Riverside County Fair and National Date Festival (Fair) for monitoring of the Fair and will have access and control of the Fair Board Facility (during the Fair) The First Amendment to the Operating Agreement with Pickering Events, LLC is for a period of five years commencing on the effective date and includes one option of five years to extend the Agreement. Each party will have the right to terminate the Agreement at any time and for any reason by giving the other party at least 180 days prior written notice. The Operating Agreement with Pickering Events, LLC is identified as the proposed project under the California Environmental Quality Act (CEQA). The Operating Agreement would maintain an ongoing use of an existing facility and would not result in physical changes or an expansion of capacity. 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), “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 Agreement, permitting continued use of existing County-owned facilities.

- **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 the continued use of the existing Indio Fairgrounds. The project would not substantially increase or expand the use of the sites; and is limited to an extension of term and updated leased area designations, which will result in the continued use of the site 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 Agreement is limited to an extension of term for continued use of existing facilities which will not expand or increase the capacity or intensity of use of the site. The use and operation of the facilities will be substantially similar to the existing use and will not create any new environmental impacts to the surrounding area. No impacts beyond the ongoing, existing use of the sites 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:** 5-15-2024

Mike Sullivan,  
County of Riverside, Facilities Management