

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

September 6, 2024

**Project Name:** Approval of Registrar of Voters Temporary Occupancy Agreement with the Living Way Fellowship at 12125 Day Street, Suite U101, Moreno Valley

**Project Number:** FM042611060000

**Project Location:** 12125 Day Street, north of State Route 60, Suite U101, Moreno Valley, 92557, California, Assessor's Parcel Number (APN): 291-050-031

**Description of Project:** The Riverside County Registrar of Voters requires space for the purpose of holding training sessions to prepare election workers for the November 5, 2024, General Election. This Temporary Occupancy license agreement will allow the Registrar of Voters to use the space owned by the Living Way Christian Fellowship located at 12125 Day Street, Suite U101, Moreno Valley, CA, 92557, for a two-month period from September 9, 2024, to November 8, 2024, to support work conducted to support the November 5, 2024, General Election.

Facilities Management has negotiated this Temporary Occupancy Agreement with the Living Way for a two (2) month term from September 9, 2024, to November 8, 2024. The County previously has entered into nearly identical short-term license or lease agreements with the Living Way for the same purpose. The Temporary Occupancy Agreement with The Living Way Christian Fellowship is identified as the proposed project under the California Environmental Quality Act (CEQA). The 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 building. The project would not substantially increase or expand the use of the sites; and is limited to temporary occupancy of the facility during the election period, 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 the continued use of the existing facility 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:** 9/6/2024

Mike Sullivan,  
County of Riverside, Facilities Management