

Riverside County
Facilities Management
3450 14th Street, 2nd Floor, Riverside, CA 92501

NOTICE OF EXEMPTION

June 28, 2023

Project Name: Temecula Courthouse Building C Water Leak Remediation Project

Project Number: FM0417200433

Project Location: 41002 County Center Drive, north of Ynez Road, Temecula, California; Assessor's Parcel Number (APN): 910-110-033

Description of Project: On February 8, 2023, the Temecula Courthouse (Building C) experienced a catastrophic water leak in the judge's chamber, conference room, and storage room. Due to the location of the leak and risk of infectious contamination, hearings could not be held. Court staff contacted Facilities Management to request a declaration of emergency be made so a remediation company could be immediately procured to provide emergency repairs and clean-up of the affected areas. The scope of work included a water leak investigation, hazmat testing including mold testing, mold abatement, selective water leak testing, selective demolition, associated roof repair, and reconstruction of the walls impacted by the water leak

On March 27, 2023, Facilities Management (FM) issued an emergency declaration pursuant to the authority delegated in Resolution 2003-23 by the Board of Supervisors (Board), allowing FM to take immediate action to procure contracts to provide emergency work without competitive bidding. Failure to immediately address this health safety and welfare event due to "domestic water" intrusion within multiple areas of the Temecula Courthouse would pose imminent risk in the forms of closure of court hearings due to infectious disease control issues, non-compliance of regulatory standards, and loss of public services. The remediation to Building C of the Temecula Courthouse is identified as the proposed project under the California Environmental Quality Act (CEQA). The operation of the facility will continue to provide public services and will not result in a change or expansion of existing use. No additional direct or indirect physical environmental impacts are anticipated.

Name of Public Agency Approving Project: Riverside County Facilities Management

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

Exempt Status: State California Environmental Quality Act (CEQA) Guidelines, Section 15301 Existing Facilities Categorical Exemption; Section 15061(b) (3), General Rule or "Common Sense" Exemption, Codified under Title 14, Articles 5 and 19, Sections 15061 and 15301.

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 include unusual circumstances which could have the possibility of having 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 repairs and clean-up of the affected building at the Temecula Courthouse.

- **Section 15301 (b)–Existing Facilities:** This Class 1 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 remediation to Building C of the Temecula Courthouse occurring from a water leak. The use of the facilities would continue to provide public services and would not result in a significant increase in capacity or intensity of use. Therefore, the project is exempt as it meets the scope and intent of the Categorical 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 remediation to the Temecula Courthouse will not result in any direct or indirect physical environmental impacts. The improvements would occur within existing facility, would not alter the footprint and is being completed to create a compliant and safe facility. The use of the facility for public services would remain unchanged. 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.

Based upon the identified exemptions above, 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: 6-28-2023

Mike Sullivan, Senior Environmental Planner
County of Riverside, Facilities Management