



County of Riverside
TLMA Aviation
4080 Lemon Street, 14th Floor, Riverside, CA 92501

FOR COUNTY CLERK USE ONLY

NOTICE OF EXEMPTION

November 4, 2024

Project Name: Approval and Consent to Bill of Sale of Aviation Hangar B9 between Paul James DeSalvo and Kathleen DeSalvo, Trustees of the 1985 DeSalvo Living Trust and Christopher L. Kelley and Darlene E. Kelley, and Consent to Sublease between All Inside AV Storage, Inc., a California Corporation, DBA Thermal Aviation and Christopher L. Kelley and Darlene E. Kelley, Jacqueline Cochran Regional Airport.

Project Location: Hangar B9, 56-850 Higgins Dr., Thermal, CA 92274, California.

Description of Project: The County of Riverside (“County”), as lessor, and John Obradovich and Betty Obradovich (collectively, “Obradovich”), as lessee, entered into that certain Lease - Desert Resorts Regional Airport, dated June 3, 2003, as amended by that certain First Amendment to Lease - Jacqueline Cochran Regional Airport, dated on or about September 14, 2004, that certain Second Amendment to Lease - Jacqueline Cochran Regional Airport, dated September 12, 2006, that certain Third Amendment to Lease - Jacqueline Cochran Regional Airport, dated March 17, 2009, and that assignment transferring the leased property from Obradovich to their business, All Inside AV Storage, Inc., a California Corporation, DBA Thermal Aviation (“Lessee”) (collectively, the “Lease”). The Lease relates to approximately 9 acres of real property located at the Jacqueline Cochran Regional Airport (“Leased Premises”) attached hereto as Attachment C. Pursuant to Section 24 of the Lease, Obradovich cannot sublease any rights, duties, or obligations under the Lease without the written consent of the County. Obradovich desires to sublease a portion of the Leased Premises upon which an aircraft storage hangar has been constructed and is identified as Hangar B9 (“Subleased Premises”) to Christopher L. Kelley and Darlene E. Kelley, husband and wife as joint tenants, (“Sublessee”), as more specifically set forth in the Sublease attached hereto as Attachment B (“Sublease”). If approved by the Board, the Sublease will be subject to the Lease.

In connection with the Sublease, Christopher L. Kelley and Darlene E. Kelley (as Buyer) and Paul James DeSalvo and Kathleen DeSalvo, Trustees of the 1985 DeSalvo Living Trust, (as Seller) entered into that certain Bill of Sale Coupled with Sub-Lease dated August 8, 2024, relating to the sale of, Hangar B9 (“Bill of Sale”), the effectiveness of which is subject to the consent and approval by the County. Christopher L. Kelley and Darlene E. Kelley will not change the existing

use of the Subleased Premises. The Bill of Sale and the Sublease will not impact the terms of the Lease.

The consent to Bill of Sale Coupled with Sub-Lease and consent to Sublease have been identified as a proposed project under the California Environmental Quality Act (CEQA) because a discretionary action by the Riverside County Board of Supervisors is required for approval. The approval of the consent to Bill of Sale and consent to Sublease will not change the existing use of the Subleased premises, which will not result in any significant environmental impacts or include any mitigation measures.

Name of Person or Agency Carrying Out Project: Riverside County Transportation and Land Management Agency (TLMA) Aviation Division

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 is limited to assignment of an existing aircraft storage hangar and does not include a new development or improvements to the Leased Premises. Furthermore, this project would not result in any physical direct or reasonably foreseeable indirect impacts to the environment.

- **Section 15301-Class 1 Existing Facilities Exemption:** 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 consent to a Sublease and Bill of Sale regarding Hangar B9 within the Jacqueline Cochran Regional Airport. The changes are limited to the change in ownership and responsibility for the terms of the Lease. The consent to Assignment and Bill of Sale will result in the same purpose and substantially similar capacity on the existing facilities at the airport and would be consistent with the existing land use and contractual requirements for the use of the site. 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 consent to Sublease and Bill of Sale and is an administrative function, that is required as part of the terms of the Lease at the existing airport and would result in the continued operation of the airport on the leased premises under modified contractual responsibilities. No significant direct or indirect environmental impacts 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.

Signature: *Kimberly Loomis* Date: 11.4.24

Kimberly Loomis
Administrative Services Analyst II
County of Riverside TLMA-Aviation Division