

NOTICE OF EXEMPTION

October 22, 2024

Project Name: Riverside University Health System Community Health Clinic and Woman, Infants, and Children (RUHS CHC WIC) Lease Agreement with Gary L. Carlton and Wendy Carlton, Banning

Project Number: FM0414300029

Project Location: 940 East Williams Street, east of Hargrave, Street, Suite 102, Banning, California 9222, Assessor's Parcel Number (APN): 541-161-044

Description of Project: The County of Riverside RUHS CHC WIC has been under lease at 3055 West Ramsey Street, Banning, since 1986. The need for expanded space for both programs has exceeded what can currently be offered on site through the existing lease which is 8,000 square feet. The Board of Supervisors (BOS) approved a Form 11 In Principle on August 1, 2023 (Minute Order 3.80) to undertake a countywide search for new clinic space. The Banning area was chosen to serve as a replacement and expansion location for these two programs. Facilities Management – Real Estate (FM-RE) subsequently issued a Request for Proposal in January 2024 to officially receive proposals for the new leased space. The new space will be located within an existing building at 940 East Williams Street in Banning, and includes a clinic that will operate daily during the week, an Express Care component that will serve the community 7 days per week, and necessary space for the WIC program and staffing. The current lease expires May 31, 2027, with W.D. Bell, Inc., and County intends to exercise its early termination option as soon as practical to enable it to terminate the current lease and commence the new lease. The current lease may be terminated by providing W.D. Bell Inc. a 180-day prior written notice. The Lease Agreement with Gary L. Carlton and Wendy Carlton is identified as the proposed project under the California Environmental Quality Act (CEQA). No expansion of the existing building footprint will occur. The operation of the facility will continue to provide health services for RUHS and will not result in an increase in the intensity of the use of the site. 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 Lease Agreement.

- **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 Lease Agreement to provide needed space for RUHS CHC WIC. The occupancy of the new space within tan existing building will result in the continued use, operation, and maintenance of the facility. The use of the facility would not result in any physical changes to the existing building and no expansion of public services would occur as a result of the Lease Agreement. 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 Lease Agreement of the existing building at 900 East Williams Street, will not expand the existing building footprint, or result in any direct or indirect physical environmental impacts. The use and operation of the facility 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 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:** 10-22-2024
Mike Sullivan,
County of Riverside, Facilities Management