



County of Riverside  
TLMA Aviation  
4080 Lemon Street, 14<sup>th</sup> Floor, Riverside, CA 92501

FOR COUNTY CLERK USE ONLY

### NOTICE OF EXEMPTION

November 21, 2024

**Project Name:** Approval and Consent to Purchase Agreement/Bill of Sale between Scott Tolstad, Successor Trustee of the Mervin K. Nilsson and Darlene M. Nilsson Family Trust dated June 8, 2000, (“Seller”), and Mario A. Deleon-Muniz, an individual (“Buyer”), and the Consent to Assignment and Assumption of Lease Agreement between Scott Tolstad, Successor Trustee of the Mervin K. Nilsson and Darlene M. Nilsson Family Trust dated June 8, 2000, (“Assignor”), and Mario A. Deleon-Muniz, an individual (“Assignee”), Hemet-Ryan Airport.

**Project Location:** Hangar Unit HR211, 4710 W Stetson Avenue, Hemet, California.

**Description of Project:** The County of Riverside, a political subdivision of the State of California (“County”), as lessor, and Kirby Nilsson, as successor trustee of the Mervin K. Nilsson and Darlene M. Nilsson Family Trust dated June 8, 2000 (“Lessee”), as lessee, entered into that certain Hemet-Ryan Airport Ground Lease Agreement dated August 25, 2022 (“Lease”). The Lease relates to, among other things, the lease of approximately 2,500 square feet of land, containing an aircraft storage hangar owned by Lessee and located at the Hemet-Ryan Airport (“Leased Premises”).

The Lessee has decided to assign their lease interests and convey ownership of the aircraft storage hangar on the Leased Premises to Mario A. Deleon-Muniz, an individual. The assignment of lease interests has been memorialized by that Assignment and Assumption of Lease Agreement dated September 21, 2024 (“Assignment Agreement”), between Lessee, as assignor, and Mario A. Deleon-Muniz, as assignee. The effectiveness of the Assignment Agreement is subject to the consent and approval by the County pursuant to Section 24 of the Lease. Staff recommends approval of the proposed Consent to Lease Assignment Agreement.

In connection with the Assignment Agreement, Mario A. Deleon-Muniz, as buyer, and Lessee, as seller, entered into that certain Purchase Agreement/Bill of Sale dated September 21, 2024, relating to the sale of the aircraft storage hangar located on the Leased Premises (“Purchase Agreement”), the effectiveness of which is subject to the consent and approval by the County. Mario A. Deleon-Muniz will not change the existing use of the Leased Premises. The Purchase Agreement and the Assignment Agreement will not impact the terms of the Lease.

The consent to Purchase Agreement and consent to Assignment Agreement 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 purchase and Purchase Agreement and consent to Assignment Agreement will not change the existing use of the Leased 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 and the assignment of the lease regarding Hangar Unit HR211 within the Hemet-Ryan Airport. The changes are limited to the change in ownership and responsibility for the terms of the Lease. The consent to Assignment Agreement and Purchase Agreement 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