

NOTICE OF EXEMPTION

June 10, 2024

Project Name: Approval of Third Amendment to the Lease Agreement with Riverside County Transportation Commission (RCTC), at the County Administrative Center (CAC), Riverside

Project Number: FM047611026500

Project Location: 4080 Lemon Street, south of Tenth Street, Riverside, California 92501, Assessor's Parcel Numbers (APNs): 215-131-004, 215-131-003, 215-131-002, 215-131-001, 215-131-011, 215-131-010, 215-131-009, 215-131-008, 215-131-007, 215-131-006, 215-131-005, 215-310-001

Description of Project: The County of Riverside holds a leasehold interest at 4080 Lemon Street, Riverside, for use by RCTC, which has occupied space at the CAC since 2003. RCTC would like to extend the lease and a Third Amendment to the Lease Agreement will rentable square footage and associated rent from 19,270 to 39,212 square feet and extend the term through October 25, 2032.

The Third Amendment to the Lease Agreement with RCTC is identified as the proposed project under the California Environmental Quality Act (CEQA). No expansion of an existing use will occur. The increased allocation of space will be within the existing building footprint and would not exceed the planned capacity of the site or the intensity of the use. 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 Third Amendment to 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 to an Amendment to the Existing Lease Agreement to increase the allocation of leased space and extend the term of the Lease Agreement through 2032. The increased space allocation would occur within the existing building footprint and would not increase the capacity or intensity of use of the site. The Lease Agreement will continue to provide office space at an existing County facility and will result in the ongoing use, operation, and maintenance of the space. The use of the facility would not result in any changes as a result of the occupancy and no expansion of public services would occur. 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 Third Amendment to the Lease Agreement will result in the continued use of office space at the CAC and will not 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:** 6-10-2024
 Mike Sullivan,
 County of Riverside, Facilities Management