

County of Riverside  
Facilities Management  
3450 14<sup>th</sup> St, Riverside, CA

FOR COUNTY CLERK USE ONLY

## NOTICE OF EXEMPTION

January 13, 2025

**Project Name:** Approval of Subordination, Non-Disturbance and Attornment (SNDA) Agreement, Approval of Ground Lessor's Consent, Estoppel Certificate and Agreement for Vail Ranch Historic Site, Temecula

**Project Number:** FM04760004500

**Project Location:** south of Temecula Valley Parkway, west of Redhawk Parkway, Temecula, California;  
Assessor's Parcel Number (APN) 960-010-044

**Description of Project:** On November 1, 2016, the County accepted the dedication of the Vail Ranch Historic Site from Vail Headquarters, LLC (VHQ) and entered into a Developer Lease and Memorandum of Lease. VHQ is to retain title to the restored structures throughout the term of the Developer Lease.

The attached Ground Lessor's Consent, Estoppel Certificate and Agreement between the County, VHQ, and SMBC Manubank a California banking corporation, the lender for VHQ, reaffirms the primary terms and conditions of the associated Ground Lease for the purpose of providing SMBC Manubank, assurances regarding the project, the obligations of the parties related thereto, and the lender's position within the transaction.

VHQ has also requested a loan to be secured by a deed of trust, and Lender has requested execution of the attached Subordination, Non-Disturbance and Attornment Agreement by the County. By execution of this agreement, the County agrees to subordinate its leasehold estate to the liens in favor of the Lender which shall have no effect on prospective rights and obligations of the County or the Lender as set forth in the Lease. In addition, in the event the Lender or its successor becomes the Lessor, the County will recognize (attorn) the Lender or its successor as Lessor and the County's right and obligations shall remain the same (not disturbed) as set forth in the Lease for the remainder of the Lease term. The approval of the SNDA Agreement Ground Lessor's Consent, and Estoppel Certificate is defined as the proposed project under the California Environmental Quality Act (CEQA). The project is limited to revisions to contractual obligations of a Lease of an existing facility and no expansion of the existing facility will occur. The operation of the facility will continue to provide public services. 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. The Ground Lessor's Consent, Estoppel Certificate Agreement and SNDA are not anticipated to result in any direct or reasonably foreseeable indirect physical environmental impacts..

- **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 the administrative approval of contractual agreements to the existing Developer Lease for Vail Ranch. The planned use of the site would continue in the same manner as under the current lease and would not require any expansion of service or facilities; 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 Ground Lessor's Consent, Estoppel Certificate Agreement and SNDA will not result in any direct or indirect physical environmental impacts. The planned use and operation of the facility will not change from what was originally assumed for the site and will not create any new environmental impacts to the surrounding area. No alterations and no impacts beyond the planned 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:** 1-13-2025  
Mike Sullivan,  
County of Riverside, Facilities Management