

County of Riverside
Facilities Management
3450 14th St, Suite 200, Riverside, CA

FOR COUNTY CLERK USE ONLY

NOTICE OF EXEMPTION

September 20, 2024

Project Name: Approval of Subordination, Non-Disturbance and Attornment Agreement (SNDA) with Citizens Business Bank, E & R Rancho Pacific Inc for Riverside University Health System Department of Behavioral Health (RUHS-BH), Lake Elsinore

Project Number: FM042431003000

Project Location: 31760 Casino Drive, Suites 100, 200, and 300, south of Diamond Drive, Lake Elsinore, California 92530, Assessor's Parcel Number (APN) 363-171-023

Description of Project: On December 10, 2013, the County of Riverside (County), entered into a lease agreement for 18,306 square feet of office space located at 31760 Casino Dr Suites 100, 200, 300, Lake Elsinore, (Lease), for use by RUHS-BH. The current Lessor, E & R Rancho Pacific Inc, a California corporation pursuant to a Security Agreement, Assignment of Leases and Rents and Fixture Filing. E & R Rancho Pacific Inc, a California corporation (Lender) has requested execution of a SNDA 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 rights and obligations shall remain the same (not disturbed) as set forth in the Lease for the remainder of the Lease term. The SNDA is defined as the proposed project under the California Environmental Quality Act (CEQA). The project would involve the continuation of the letting of office space and would be limited to contractual assignments and responsibilities regarding the Lease. No expansion of the existing County facility will occur. The operation of the facility will continue to provide public services and 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 SNDA.

- **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, would be limited to contractual assignments and responsibilities regarding the Lease. No expansion of the existing County facility will occur. The operation of the facility will continue to provide public services and no additional direct or indirect physical environmental impacts are anticipated. The project would not substantially increase or expand the use of the site; use is limited to the continued use of the site in a similar capacity; 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 SNDA would be limited to contractual assignments and responsibilities regarding the Lease. No expansion of the existing County facility will occur. 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:** 9-20-2024
Mike Sullivan, Senior Environmental Planner
County of Riverside, Facilities Management