



Andy Cortez, General Manager-Chief Engineer

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Page 1 of 3

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NOTICE OF EXEMPTION

DATE: March 18, 2025
TO: County Clerk, County of Riverside (County)
PROJECT CASE NO/TITLE: NOE 25-04: Landfill Gas Purchase Agreement and Leases with Nodal Power Systems, Inc.
PROJECT LOCATION: Riverside County Closed Landfills
Coachella, 87-011 44th St., Coachella, CA, 92202;
Edom Hill, 70-100 Verner Rd., Cathedral City, CA, 92234;
and Highgrove, 1420 Pigeon Pass Road, Riverside, CA, 92507
PROJECT DESCRIPTION: Landfill Gas Purchase Agreement (Agreement) between the County of Riverside and Nodal Power Systems, Inc. for the purchase of landfill gas produced at the Coachella, Edom Hill and Highgrove Closed Landfills for ten (10) years.
PUBLIC AGENCY APPROVING PROJECT: County of Riverside (County)
PROJECT SPONSORS: Department of Waste Resources (RCDWR)

The project is 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 categorical exemptions as detailed under State CEQA Guidelines section 15300.2. The project will not cause any impacts to scenic resources, historic resources, or unique sensitive environments. Further, no unusual circumstances or potential cumulative impacts would occur that may reasonably create a direct or reasonably foreseeable indirect physical environmental impact.

EXEMPT STATUS:

- Ministerial
- Declared Emergency
- Emergency Project
- Statutory Exemption:
- Categorical Exemption
- Other Exemption:

Section 15301, Existing Facilities; Section 15308, Actions by Regulatory Agencies for Protection of the Environment Section 15061(b)(3), General Rule Exemption

REASONS FOR EXEMPTION:

Section 15061(b)(3) - General Rule Exemption

The activity is covered by the general rule that CEQA applies only to projects, which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA.

This project is exempt under Section 15061(b)(3) because:

The Project involving the Landfill Gas Purchase Agreement (Agreement), is an Agreement between the County of Riverside and Nodal Power Systems, Inc., for the purchase of landfill gas produced at the Coachella, Edom Hill and Highgrove Closed Landfills. Landfill gas is produced as the waste in landfills naturally decompose. Landfill gas can be an environmental hazard but also has potential beneficial use as a sustainable fuel source and asset. Coachella, Edom Hill and Highgrove Landfills, generate a sufficient volume of Landfill gas (greater than 400,000 standard cubic feet per day), and of sufficient methane quality (greater than 30 percent), that a profitable Landfill gas beneficial use project is feasible.

The Project proposes to construct, operate and maintain plants along with installation of necessary equipment and pipelines to enable Nodal Power Systems, Inc., to collect and transport landfill gas from the RCDWR's landfill gas collection and control system (GCCS) to the plant and produce electricity. Construction is proposed on previously disturbed land with no new air emissions. When constructed, this landfill gas beneficial use project will provide a sustainable source of electricity for residents and businesses of the region for years to come. The RCDWR will continue to maintain Coachella, Edom Hill and Highgrove Closed Landfills in accordance with applicable regulatory requirements. The terms of the Landfill Gas Purchase Agreement provides the RCDWR with authority to, temporarily or permanently, discontinue the Contractor's landfill gas beneficial use system, in order to maintain regulatory compliance. The royalty from the beneficial use of landfill gas (i.e. electric sales, environmental credits or other means), shall be utilized to offset ongoing closed landfill maintenance costs. The Project would not have a direct, indirect, or cumulatively significant effect on the environment or environmental resources. As such, the Project meets the scope and intent of Section 15061(b)(3), General Rule Exemption.

This determination is an issue of fact and sufficient evidence exists in the record that the activity will not have a significant effect on the environment. As such, the exemption applies and no further evaluation under CEQA is required. See *Muzzy Ranch Co. v. Solano County Airport Land Use Comm'n* (2007) 41 Cal. 4th 372.

Section 15301, Existing Facilities

Class 1 consists of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of existing or former use.

This project is exempt under Section 15308 because:

The Project proposes to enter into a Landfill Gas Purchase Agreement (Agreement) between the County of Riverside and Nodal Power Systems, Inc., to purchase landfill gas produced at the Coachella, Edom Hill and Highgrove Closed Landfills. Landfill gas is produced as the waste in landfills naturally decompose. The Project proposes to construct, operate and maintain plants, along with installation of necessary equipment and pipelines, within the existing landfills on previously disturbed land. All three landfills are closed and will not require expansion of existing or former use to produce landfill gas. The RCDWR will continue to maintain Coachella, Edom Hill and Highgrove Closed Landfills in accordance with applicable regulatory requirements. As such,

NOE 25-04

Landfill Gas Purchase Agreement and Leases between the County of Riverside and Nodal Power Systems, Inc.

March 18, 2025

Page 3

the Project is found not to affect any environmental resources; therefore, the Project meets the scope and intent of Section 15301, Categorical Exemption.

Section 15308, Actions by Regulatory Agencies for Protection of the Environment

Class 8 consists of actions taken by regulatory agencies, as authorized by state or local ordinance, to assure the maintenance, restoration, enhancement, or protection of the environment where the regulatory process involves procedures for protection of the environment.

This project is exempt under Section 15308 because:

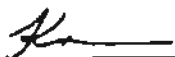
The Project involving the Landfill Gas Purchase Agreement (Agreement), is an Agreement between the County of Riverside and Nodal Power Systems, Inc., for the purchase of landfill gas produced at the Coachella, Edom Hill and Highgrove Closed Landfills. Landfill gas is produced as the waste in landfills naturally decompose. Landfill gas can be an environmental hazard but also has potential beneficial use as a sustainable fuel source and asset. Coachella, Edom Hill and Highgrove Landfills, generate a sufficient volume of landfill gas (greater than 400,000 standard cubic feet per day), and of sufficient methane quality (greater than 30 percent), that a profitable landfill gas beneficial use project is feasible. When constructed, this landfill gas beneficial use project will provide a sustainable source of electricity for residents and businesses of the region for years to come. As such, the Project is found not to affect any environmental resources; therefore, the Project meets the scope and intent of the Class 8 Categorical Exemption.

FINDINGS:

1. Based upon the identified exemptions and justifications above, the RCDWR, on behalf of the County, 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.
2. The proposed Project is exempt from CEQA pursuant to Section 15061(b)(3), and categorically exempt from CEQA pursuant to Section 15301 and Section 15308.
3. It can be seen with certainty that there is no possibility that this Project would have a direct, indirect, or cumulatively significant effect on the environment; therefore, the activity is exempt under CEQA as previously identified.

If there are any questions regarding the above matter, I can be reached at (951) 486-3200.

**Andy Cortez, General Manager - Chief Engineer
Riverside County Department of Waste Resources**

By: 
Katherine Avila

Title: Associate Planner

Date: March 18, 2025

DM # 350263