

**SUBMITTAL TO THE BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**



**ITEM: 3.9
(ID # 17327)**

MEETING DATE:

Tuesday, November 02, 2021

FROM : FACILITIES MANAGEMENT AND PURCHASING AND FLEET SERVICES :

SUBJECT: FACILITIES MANAGEMENT (FM) AND PURCHASING AND FLEET SERVICES:
Indio Fleet Facility Emergency Fuel Tank Vapor Return System Replacement Project -
Environmental Quality Act Exempt, Approval of In-Principle and Project Budget, District 4. [Total
Cost \$153,336, 100% Fleet Services Fund 45300]

RECOMMENDED MOTION: That the Board of Supervisors:

1. Approve the Indio Fleet Facility Emergency Fuel Tank Vapor Return System Replacement Project (Indio Fleet Fuel Vapor Return Replacement) Project for inclusion in the Capital Improvement Program (CIP);
2. Find that the Indio Fleet Fuel Vapor Return Replacement Project is exempt from the California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines Section 15301 Class 1 Existing Facilities Exemption, Section 15302 Class 2 Replacement or Reconstruction Exemption, and Section 15061 (b)(3) "Common Sense" Exemption;

Continued on Page 2

ACTION:Policy, CIP

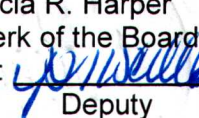

Rose Salgado, Director of Facilities Management 10/15/2021


Tina Grande 10/15/2021

MINUTES OF THE BOARD OF SUPERVISORS

On motion of Supervisor Jeffries, seconded by Supervisor Hewitt and duly carried by unanimous vote, IT WAS ORDERED that the above matter is approved as recommended.

Ayes: Jeffries, Spiegel, Washington, Perez and Hewitt
Nays: None
Absent: None
Date: November 2, 2021
xc: FM, Purchasing, Recorder

Kecia R. Harper
Clerk of the Board
By: 
Deputy

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RECOMMENDED MOTION: That the Board of Supervisors:

3. Approve in-principle the emergency declared Indio Fleet Fuel Vapor Return Replacement Project located at 82-775 Plaza Avenue in Indio, California; to replace the fuel vapor return system in order to comply with current environmental and life safety standards;
4. Approve a project budget in the not to exceed amount of \$153,336 for the Project;
5. Authorize the use of Fleet Services Fund 45300 in the amount of \$153,336, for the emergency work, including reimbursement to Facilities Management (FM) for incurred emergency project related expenses;
6. Authorize the Director of Facilities Management, or her designee, to administer all necessary agreements in accordance with applicable Board policies;
7. Delegate project management authority for the Project to the Director of Facilities Management in accordance with applicable Board policies, including the authority to utilize consultants on the approved pre-qualified list for services in connection with the Project, and are within the approved project budget; and
8. Authorize the Purchasing Agent to execute pre-qualified consultant service agreements not to exceed \$100,000 per pre-qualified consultant, per fiscal year, in accordance with applicable Board policies for the Project, and the sum of all project contracts shall not exceed \$153,336.

FINANCIAL DATA	Current Fiscal Year:	Next Fiscal Year:	Total Cost:	Ongoing Cost
COST	\$ 153,336	\$ 0	\$ 153,336	\$ 0
NET COUNTY COST	\$ 0	\$ 0	\$ 0	\$ 0
SOURCE OF FUNDS: Fleet Services Fund 45300 – 100%			Budget Adjustment: No	
			For Fiscal Year: 2021/22	

C.E.O. RECOMMENDATION: Approve

BACKGROUND:

Summary

The Indio Fleet Services facility has been working with a vendor to identify the location of a vapor leak within the vapor recovery system located outside of the fuel station. The County hired a contractor to locate and repair the vapor leaks, but after several unsuccessful attempts

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and the urgency in meeting regulatory timeframes and compliance, Fleet Services is pursuing complete replacement of the system.

The scope of work for the Indio Fleet Fuel Vapor Return Replacement Project includes but is not limited to: assessment of the existing fuel system; installation, inspection and testing of the new fuel vapor return system and lines located outside of the fuel station facility.

On September 10, 2021, Facilities Management (FM) issued an emergency declaration pursuant to the authority delegated in Resolution 2003-23 by the Board of Supervisors (Board), allowing FM to take immediate action to procure contracts to provide emergency work to replace the existing vapor return system. Failure to take immediate action necessary to remedy the vapor leak would pose a health and safety risk to County personnel and vehicles using the fueling facility.

Facilities Management recommends the Board approve in-principle the Indio Fleet Fuel Vapor Return Replacement Project and the project budget in the amount not to exceed \$153,336 to ensure that the Project retains operational safety.

With certainty, there is no possibility that the Project may have a significant effect on the environment. The Project is limited to the replacement of fuel lines at the existing outside fuel station and is necessary to comply with environmental health and safety requirements. The work is limited to replacement of existing equipment and would not result in physical changes to the environment. Therefore, the Indio Fleet Fuel Vapor Return Replacement Project is exempt as the Project meets the scope and intent of the Common Sense Exemption identified in Section 15061 (b)(3); Class 1 Existing Facilities Categorical Exemption identified in Section 15301; and Class 2 Replacement or Reconstruction Exemption identified in Section 15302. A Notice of Exemption will be filed by FM staff with the County Clerk within five days of Board approval.

Impact on Residents and Businesses

The Indio Fleet Fuel Vapor Return Replacement Project will ensure the health and safety of County personnel and vehicles by providing timely replacement of fuel lines to mitigate vapor leaks in compliance with environmental regulations.

Contract History and Price Reasonableness

County Purchasing and Fleet Services contacted California Hazardous Services, Inc. and after reviewing their qualifications and pricing, determined the pricing to be reasonable and consistent with the required regulatory timeframes in the best interest of the County.

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Additional Fiscal Information

The approximate allocation of the project budget is as follows:

BUDGET LINE ITEMS	BUDGET AMOUNT
DESIGN PROFESSIONAL OF RECORD/ PLANNING	0
SPECIALTY CONSULTANTS	0
REGULATORY PERMITTING	7,053
CONSTRUCTION	126,789
COUNTY ADMINISTRATION	5,554
REAL ESTATE	0
PROJECT CONTINGENCY	13,940
PROJECT BUDGET	\$ 153,336

Additional Fiscal Information (Continued)

All costs associated with this Board action will be expended in FY 2021/22 and are 100% funded through Fleet Services Fund 45300.

RS:SP:ES:SC:mg FM08730011608 MT Item #17327
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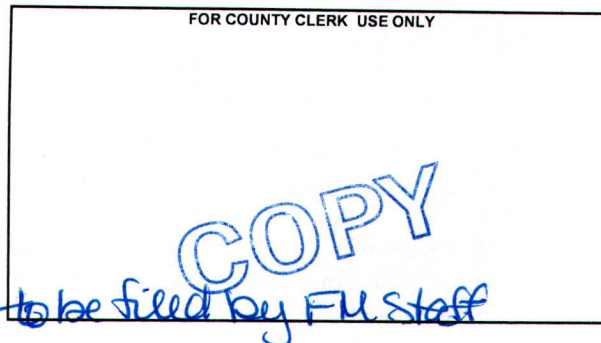

Tina Grande 10/13/2021


Meghan Hahn, Senior Management Analyst 10/21/2021


Gregory L. Priamos, Director County Counsel 10/21/2021

**Riverside County
Facilities Management**

3133 Mission Inn Avenue, Riverside, CA 92507



NOTICE OF EXEMPTION

September 30, 2021

Project Name: Indio Fleet Services Fuel Tank Vapor Return System Replacement

Project Number: FM08730011608

Project Location: 82775 Plaza Avenue, west of Jackson Street, Indio, County of Riverside, California 92201; Assessor's Parcel Number (APN): 614-050-060

Description of Project: The Indio Fleet Services facility has been working with a vendor to identify the location of a vapor leak within the fuel lines located outside of the fuel station. Repairs to all segments of the fuel lines has been completed, however further testing has indicated that the leak remains. Per the Department of Environmental Health (DEH), all of the fuel lines must now be replaced and re-tested by November 30, 2021 to resolve the current violations cited by DEH. The scope of work for the Indio Fleet Services Fuel Tank Vapor Return System Replacement Project includes, but is not limited to, assessment of the existing fuel system; installation, inspection and testing of the new fuel lines located outside of the fuel station facility.

On September 10, 2021, Facilities Management (FM) issued an emergency declaration pursuant to the authority delegated in Resolution 2003-23 by the Board of Supervisors (Board), allowing FM to take immediate action to procure contracts to provide emergency work to replace the existing fuel lines. Failure to take immediate action necessary to remedy the vapor leak would pose a health and safety risk to County personnel and vehicles using the fueling facility. The replacement of the fuel lines at the Indio Fleet facility is identified as the proposed project under the California Environmental Quality Act (CEQA). The operation of the facility will continue to provide services to County vehicles and will not result in a change or expansion of existing use. No additional direct or indirect physical environmental impacts are anticipated.

Name of Public Agency Approving Project: Riverside County Facilities Management

Name of Person or Agency Carrying Out Project: Riverside County Facilities Management

Exempt Status: State California Environmental Quality Act (CEQA) Guidelines, Section 15301 Existing Facilities Exemption; Section 15302 Replacement or Reconstruction Exemption; and 15061(b) (3), General Rule or "Common Sense" Exemption, Codified under Title 14, Articles 5 and 19, Sections 15061, 15301, and 15302.

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 include unusual circumstances which could have the possibility of having 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 replacement of the vapor return system at the Indio Fleet facility.

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- **Section 15301 (b)–Existing Facilities:** 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 replacement of the vapor return system at the Indio Fleet facility. The use of the facility would continue to provide services to County vehicles and would not result in a significant increase in capacity or intensity of use. 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 15302 –Replacement or Reconstruction:** This Class 2 categorical exemption consists of the replacement or reconstruction of existing structures and facilities where the new structure/facilities will be located on the same site as the structure/facilities replaced and will have substantially the same purpose and capacity. Under (c), replacement or reconstruction of existing utility systems and/or facilities involving negligible or no expansion of capacity. The project, as proposed, is the replacement of the existing vapor return system of similar size and capacity to eliminate a leak identified. The system is an existing facility that supports the provision of services to County vehicles and the replacement would have the same purpose as the existing infrastructure. Therefore, the project is exempt as it meets the scope and intent of the Categorical Exemption identified in Section 15302, 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 replacement of the vapor return system at the Indio Fleet facility will not result in any direct or indirect physical environmental impacts. The improvements would occur within existing facility, would not alter the footprint and is being completed to create a compliant and safe health facility. The use of the facility for services to County vehicles would remain unchanged. 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.

Based upon the identified exemptions above, 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: 9-30-2021

Mike Sullivan, Senior Environmental Planner
County of Riverside, Facilities Management