

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



**ITEM: 3.9
(ID # 21187)**

MEETING DATE:
Tuesday, March 28, 2023

FROM : FACILITIES MANAGEMENT:

SUBJECT: FACILITIES MANAGEMENT: Twin Pines Underground Storage Tank Remediation, Removal, and Maintenance Project – California Environmental Quality Act Exempt, Approval of In-Principle and Project Budget, District 4 [\$299,988 – 100% Proceeds from the Sale of County Property - Fund 11183]

RECOMMENDED MOTION: That the Board of Supervisors:

1. Approve the Twin Pines Underground Storage Tank Remediation, Removal, and Maintenance (Twin Pines UST) Project for inclusion in the Capital Improvement Program (CIP);
2. Find that the Project is exempt from the California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines Section 15301 Class 1 - Existing Facilities Exemption, and Section 15061 (b)(3), "Common Sense" Exemption;

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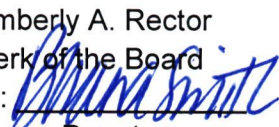
ACTION:Policy, CIP


Rose Salgado, Director of Facilities Management 3/3/2023

MINUTES OF THE BOARD OF SUPERVISORS

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

Ayes: Jeffries, Spiegel, Washington, Perez, and Gutierrez
Nays: None
Absent: None
Date: March 28, 2023
xc: FM

Kimberly A. Rector
Clerk of the Board
By: 
Deputy

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RECOMMENDED MOTION: That the Board of Supervisors:

3. Approve in-principle the Twin Pines UST Project located at 49500 Twin Pines Road in Banning, California; to remediate and remove two underground storage tanks and provide maintenance oversight;
4. Approve a preliminary project budget in the not to exceed amount of \$299,988 for the Project;
5. Authorize the use of Proceeds from the Sale of County Property - Fund 11183 in the not to exceed amount of \$299,988 for the Project, including reimbursement to Facilities Management (FM) for incurred project related expenses;
6. Delegate project management authority for the project to the Director of Facilities Management, or her designee, 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
7. Authorize the Purchasing Agent to execute consultant services agreements not to exceed \$100,000 per pre-qualified consultant, per fiscal year, in accordance with applicable Board policies for this Project, and the sum of all project contracts shall not exceed \$299,988.

FINANCIAL DATA	Current Fiscal Year:	Next Fiscal Year:	Total Cost:	Ongoing Cost
COST	\$ 251,988	\$ 48,000	\$ 299,988	\$ 0
NET COUNTY COST	\$ 0	\$ 0	\$ 0	\$ 0
SOURCE OF FUNDS: Proceeds from the Sale of County Property - Fund 11183 – 100%			Budget Adjustment: No	
			For Fiscal Year: 22/23 –23/24	

C.E.O. RECOMMENDATION: Approve

BACKGROUND:

Summary

The County of Riverside (County) owns the property located at 49500 Twin Pines Rd, Banning, CA 92220 and also identified by Assessor's Parcel Number's 529-030-031, 529-030-032, 529-030-033, 529-030-034, 529-030-036, 529-030-037, 529-030-038, 529-030-039, and 529-030-041, commonly known as Twin Pines Ranch (Twin Pines Ranch). Twin Pines Ranch consists of an approximately 1,120-acre site containing a multi-facility school-type campus with classrooms, cafeteria, living quarters, an auto shop and fueling facility, and adjacent recreational areas

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including a gymnasium and ball fields and parking all surrounded by natural and scenic mountain pastures and creek beds. The property is currently operated by Cowboys for a Cause (Operator) but the responsibility of maintaining the County fuel tanks remains with the County and the remainder of the property is maintained by the Operator.

The County is in the late stages of obtaining low threat closure of a previous fuel leak at the facility from an underground storage tank (UST) in 1999. The County has been working with the Colorado Regional Water Quality Control Board and has identified that final assessments, modeling, and abandonment of monitoring wells are needed to satisfy the outstanding remediation obligations. The County also maintains two additional USTs, which require ongoing regulatory requirements including testing, inspections, and routing repairs. One of these double-walled tanks recently experienced a breach in the inner wall and, as a result, requires removal to eliminate any additional potential contamination. Facilities Management is seeking \$299,988 to complete the remediation closure, remove the compromised UST, and continue ongoing regulatory compliance of the UST system through FY2024.

Pursuant to CEQA, the Twin Pines UST Project was reviewed and determined to be categorically exempt under State CEQA Guidelines Sections 15301 Class – 1 Existing Facilities Exemption, and Section 15061(b)(3), “Common Sense” Exemption. No expansion or change in use would occur with the remediation, removal, or the maintenance oversight of two underground storage tanks.

(Continued)

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BACKGROUND:

Summary (Continued)

With certainty, there is no possibility that the activity in question may have a significant effect on the environment because it merely entails remediation of a previous spill, removal of a compromised UST, and continued maintenance of the existing UST fuel system at the Twin Pines facility. No direct or indirect impacts would occur. A Notice of Exemption will be filed by Facilities Management staff with the County Clerk within five days of Board approval.

Impact on Residents and Businesses

The Twin Pines UST Project will relieve the County of an outstanding remediation obligation, remove an existing threat of a fuel leak, and continue to oversee the fuel system preserving the soil and groundwater quality for the scenic mountain environment and this property.

Additional Fiscal Information

The approximate allocation of the project budget is as follows:

BUDGET LINE ITEMS	BUDGET AMOUNT			
	Remediation	Maintenance	Removal	TOTAL
DESIGN	\$11,999	\$0	\$22,900	\$34,899
SPECIALTY CONSULTANTS	\$0	\$0	\$0	\$0
REGULATORY PERMITTING	\$15,806	\$0	\$0	\$15,806
CONSTRUCTION	\$92,917	\$47,167	\$39,284	\$179,368
COUNTY ADMINISTRATION	\$2,468	\$32,671	\$5,780	\$40,919
PROJECT CONTINGENCY	\$0	\$20,000	\$8,996	\$28,996
TOTAL PROJECT BUDGET	\$123,190	\$99,838	\$76,960	\$299,988

All costs associated with this Board action will be 100% funded through Proceeds from the Sale of County Property - Fund 11183. Expenditures in FY 22/23 are estimated at \$251,988, and expenditures for FY 23/24 are estimated at \$48,000.

DR:RS:RM:MS:SC:tv

FM0417200396/FM08720012460

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Meghan Hahn

Meghan Hahn, Deputy Director of Procurement 3/1/2023

Veronica Santillan

Veronica Santillan, Principal Management Analyst 3/17/2023

Ronak Patel

Ronak Patel, Deputy County Counsel 3/7/2023

FM staff to
file

Riverside County
Facilities Management
3450 14th St., 2nd Floor, Riverside, CA 92501

NOTICE OF EXEMPTION

February 2, 2023

Project Name: Twin Pines Underground Storage Tank (UST) Fuel System Remediation, Removal, and Maintenance Project

Project Number: FM08720012460

Project Location: 49500 Twin Pines Road, east of State Route 243, Banning CA 92220, Assessor's Parcel Number (APN): 529-030-036

Description of Project: The County of Riverside is in the late stages of obtaining low threat closure of a previous fuel leak at the facility from a UST in 1999. The County has been working with the Colorado Regional Water Quality Control Board and has identified that final assessments, modeling, and abandonment of monitoring wells are needed to satisfy the outstanding remediation obligations. The County also maintains two additional USTs, which require ongoing regulatory requirements including testing, inspections, and routing repairs. One of these double-walled tanks recently experienced a breach in the inner wall and, as a result, requires removal, to eliminate any additional potential contamination. Facilities Management is seeking \$299,988 to complete the remediation closure, remove the compromised UST, and continue ongoing regulatory compliance of the UST system through FY2024. The remediation, removal and continued maintenance at the Twin Pines facility is identified as the project under the California Environmental Quality Act (CEQA). No direct or indirect physical environmental impacts are anticipated from the improvements.

Name of Public Agency Approving Project: Riverside County

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; and 15061(b) (3), "Common Sense" Exemption, Codified under Title 14, Articles 5 and 19, Sections 15061 and 15301.

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 UST remediation, removal, and maintenance.

- **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 continued remediation for a previous spill to satisfy low threat closure requirements, remove a compromised UST to eliminate the possibility of a fuel leak, and provide continued regulatory compliance maintenance for the existing UST fuel system. The improvements would result in the continued provision public services 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 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 remediation, removal and maintenance of the UST system at the Twin Pines facility will not result in any direct or indirect physical environmental impacts. The would occur at an existing facility, would not alter the footprint and are being completed to provide for safe and efficient operation of the public facility. The use of the facility 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: 2-1-2023 _____

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