

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



ITEM: 3.14
(ID # 21921)

MEETING DATE:

Tuesday, June 06, 2023

FROM : FACILITIES MANAGEMENT:

SUBJECT: FACILITIES MANAGEMENT (FM) ENERGY DIVISION: Department of Transportation Federal Highway Administration Charging and Fueling Infrastructure Discretionary Grant Program - California Environmental Quality Act Exempt, Authorize Facilities Management to Submit a Grant Application and Accept the Grant if Awarded, Authorize Designee to Execute Any and All Grant Documents, All Districts. [80% - Department of Transportation Federal Highway Administration Charging and Fueling Infrastructure Grant Funds; 20% Matching County NCC Funds]

RECOMMENDED MOTION: That the Board of Supervisors:

1. Find that the approval of the grant application submittal to the Department of Transportation Federal Highway Administration Charging and Fueling Infrastructure Grant (DOT FHA CFI Grant) Program is exempt from California Environmental Quality Act (CEQA) pursuant to State CEQA guidelines Section 15061(b) (3), "Common Sense" Exemption;
2. Approve the submittal of a grant application to the DOT FHA CFI Grant Program for construction and installation of Electric Vehicle (EV) charging stations at various County department locations; and

Continued on Page 2

ACTION:Policy, CIP


Rose Salgado, Director of Facilities Management 6/15/2023

MINUTES OF THE BOARD OF SUPERVISORS

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

Ayes: Jeffries, Washington, Perez, and Gutierrez
Nays: None
Absent: Spiegel
Date: June 6, 2023
xc: FM

Kimberly A. Rector
Clerk of the Board

By: 
Deputy

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RECOMMENDED MOTION: That the Board of Supervisors:

3. Authorize the Director of Facilities Management, or her designee, to administer and execute all grant documents in accordance with applicable Board policies.

FINANCIAL DATA	Current Fiscal Year:	Next Fiscal Year:	Total Cost:	Ongoing Cost
COST	\$ 0	\$10,575,040	\$10,575,040	\$ 0
NET COUNTY COST	\$ 0	\$2,643,760	\$2,643,760	\$ 0
SOURCE OF FUNDS: 80% - Department of Transportation Federal Highway Administration Charging and Fueling Infrastructure Grant Funds; 20% Matching County NCC Funds			Budget Adjustment: No	
			For Fiscal Year: 23/24 – 24/25	

C.E.O. RECOMMENDATION: Approve.

BACKGROUND:

Summary

The California Air Resources Board is developing a medium and heavy-duty zero-emission fleet regulation with the goal of achieving a zero-emission truck and bus California fleet by year 2045 everywhere feasible and significantly earlier for certain market segments such as last mile delivery and drayage applications. The initial focus would be on high-priority fleets with vehicles that are suitable for early electrification, their subhaulers, and entities that hire them. State and local government fleets, including city, county, special district, and State agency fleets, will be required to ensure 50 percent of vehicle purchases are zero-emission beginning in 2024 and 100 percent of vehicle purchases are zero-emission by 2027. The County has submitted comments concerning the implementation of regulations by the deadlines established, with costs being a primary barrier.

The Department of Transportation Federal Highway Administration Charging and Fueling Infrastructure Discretionary Grant Program (DOT FHA CFI Grant) Program is a new competitive grant program created by President Biden's Bipartisan Infrastructure Law to strategically deploy publicly accessible Electric Vehicle (EV) charging and alternative fueling infrastructure in the places people live and work, urban and rural areas alike, in addition to along designated Alternative Fuel Corridors (AFCs). The DOT FHA CFI Grant Program investments will make modern and sustainable infrastructure accessible to all drivers of electric, hydrogen, propane, and natural gas vehicles. This first round of funding makes \$700 million from Fiscal Years 2022 and 2023 funding available to strategically deploy EV charging infrastructure and other fueling infrastructure projects in urban and rural communities in publicly accessible locations, including downtown areas and local neighborhoods, particularly in underserved and disadvantaged communities.

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The County has identified a list of 44 potential locations for EV chargers that would be eligible and competitive to receive grant funding through the DOT FHA CFI Grant Program. If funding is awarded, the Program requires a minimum 20 percent match from the County. Funding from the program would have a three-fold benefit to the County: to provide the needed infrastructure to support a clean fleet; to provide the necessary infrastructure to the residents of the County; and to provide an additional source of revenue from the EV charging stations.

The approval of the application for grant funds has no direct effect anticipated other than the award of grant funds. The indirect effects would result in the construction and installation of EV chargers at county facilities with existing parking lots which would not alter the existing development footprint or result in an increase in capacity. Therefore, application to the DOT FHA CFI Grant Program is exempt as the application meets the scope and intent of the Class 1 Existing Facilities Categorical Exemption identified in Section 15301 and Section 15061 (b)(3) "Common-Sense" Exemption. A Notice of Exemption will be filed by FM staff with the County Clerk within five days of Board approval.

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Impact on Residents and Businesses

The award of funding through the DOT CFI Grant Program will facilitate the installation of EV charging stations throughout the County which will provide the needed network available to the public to transition to a clean fuel environment.

Additional Fiscal Information

There is no fiscal impact associated with the request to submit an application to the DOT FHA CFI Grant Program.

RS:VB:RM:BH:MS:SC:tv

MT #21921

Riverside County
Facilities Management
3450 14th Street, Riverside, CA 92501

FOR COUNTY CLERK USE ONLY

FM STAFF to file

NOTICE OF EXEMPTION

May 9, 2023

Project Name: County of Riverside, Authorization to Apply for Department of Transportation Federal Highway Administration (DOT FHWA) Charging and Fueling Infrastructure Discretionary Grant Program Funds

Project Number: FM08720012891

Project Location: Countywide

Description of Project: The Department of Transportation Federal Highway Administration Charging and Fueling Infrastructure Discretionary Grant Program (DOT FHA CFI Grant) Program is a new competitive grant program created by President Biden's Bipartisan Infrastructure Law to strategically deploy publicly accessible Electric Vehicle (EV) charging and alternative fueling infrastructure in the places people live and work, urban and rural areas alike, in addition to along designated Alternative Fuel Corridors (AFCs). The DOT FHA CFI Grant Program investments will make modern and sustainable infrastructure accessible to all drivers of electric, hydrogen, propane, and natural gas vehicles. This first round of funding makes \$700 million from Fiscal Years 2022 and 2023 funding available to strategically deploy EV charging infrastructure and other fueling infrastructure projects in urban and rural communities in publicly accessible locations, including downtown areas and local neighborhoods, particularly in underserved and disadvantaged communities.

The County has identified a list of 44 potential locations for EV chargers that would be eligible and competitive to receive grant funding through the DOT FHA CFI Grant Program. If funding is awarded, the Program requires a minimum 20 percent match from the County. Funding from the program would have a three-fold benefit to the County: to provide the needed infrastructure to support a clean fleet; to provide the necessary infrastructure to the residents of the County; and to provide an additional source of revenue from the EV charging stations. Therefore, Facilities Management is seeking Board approval to seek grant funding for the installation of EV Chargers. The approval to seek funding for EV Charging infrastructure is identified as the project under the California Environmental Quality Act (CEQA). No 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.

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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 seeking grant funding, and if awarded, installation of EV Chargers at existing County facilities.

- **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 application for grant funding. The indirect effects would be in the use of funding to provide EV Chargers at existing County facilities. The EV Chargers would be located on existing developed parking spaces and would not substantially increase or expand the use of the sites; use is limited to the continued use of the sites 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 proposed grant application will not result in any direct or reasonably foreseeable indirect physical environmental impacts. No physical change would occur to the site until grant funds were received and if awarded, no significant physical changes or effects would result from the conversion of traditional parking spaces at existing parking lots of County facilities to spaces with EV Charging. 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. No impacts beyond the ongoing, existing use of the sites 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.

Based upon the identified exemptions above, the County of Riverside 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: 5-9-2023

Mike Sullivan, Senior Environmental Planner
County of Riverside