FOR COUNTY CLERK USE ONLY

County of Riverside
TLMA Aviation
4080 Lemon Street, 14th Floor, Riverside, CA 92501

NOTICE OF EXEMPTION

September 16, 2025

Project Name: Approval and Consent to Bill of Sale of Aircraft Storage Hangar between Richard Kimball, an individual, and Micheal Werhanowicz, an individual, and Consent to Assignment of Lease between Richard Kimball, an individual, and Micheal Werhanowicz, an individual, French Valley Airport

Project Location: Port-a-Port Hangar #21, 37600 Sky Canyon Drive, Murrieta, CA 92563

Description of Project: The County of Riverside ("County"), as lessor, and Richard Kimball (successor-in-interest to Lowell W. Dexter), as lessee, entered into that certain French Valley Airport Lease dated December 19, 1990 ("Original Lease"), as amended by that certain First Amendment to Lease, dated September 14, 2004, and as amended by that certain Second Amendment to Lease, dated November 24, 2020 (collectively, the "Lease"). The Lease relates to, among other things, the lease of approximately 1,092 square foot of land containing an aircraft storage hangar identified as port-a-port hangar 21 and located at the French Valley Airport ("Leased Premises").

Richard Kimball has decided to assign his Lease interests and ownership of the improvements on the Leased Premises to Micheal Werhanowicz. The assignment of Lease interests has been memorialized by that Assignment and Assumption of Lease Agreement dated June 27, 2025 ("Assignment Agreement"), between Richard Kimball, as Assignor, and Micheal Werhanowicz, as Assignee. The effectiveness of the Assignment Agreement is subject to the consent and approval by the County per Section 21 of the Lease. Staff recommends approval of the proposed Consent to Assignment and Assumption as attached.

In connection with the Assignment, Micheal Werhanowicz (as Buyer) and Richard Kimball (as Seller) entered into that certain Bill of Sale for Aircraft Storage Hangar dated June 27, 2025 relating to the sale of the aircraft storage hangar located on an 1,092 square foot leased area on the French Valley Airport at 37600 Sky Canyon Dr., Murrieta, CA 92563 ("Bill of Sale"), the effectiveness of which is subject to the consent and approval by the County. Micheal Werhanowicz will not change the existing use of the Leased Premises. The Bill of Sale and the Assignment will not impact the terms of the Lease.

The consent to Bill of Sale and consent to Assignment Agreement have been identified as a proposed project under the California Environmental Quality Act (CEQA) because a discretionary action by the Riverside County Board of Supervisors is required for approval. The approval of the consent to Bill of Sale and consent to Assignment Agreement will not change the existing use of the Leased Premises, which will not result in any significant environmental impacts or include any mitigation measures.

Name of Person or Agency Carrying Out Project: Riverside County Transportation and Land Management Agency (TLMA) Aviation Division

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 is limited to assignment of an existing aircraft storage hangar and does not include a new development or improvements to the Leased Premises. Furthermore, this project would not result in any physical direct or reasonably foreseeable indirect impacts to the environment.

- S**ection 15301-Class 1 Existing Facilities Exemption**: 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 consent to an Assignment Agreement and Bill of Sale regarding Port-a-Port Hangar #21 within the French Valley Airport. The changes are limited to the change in ownership and responsibility for the terms of the Lease. The consent to Assignment Agreement and Bill of Sale will result in the same purpose and substantially similar capacity on the existing facilities at the airport and would be consistent with the existing land use and contractual requirements for the use of the site. 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 consent to Assignment Agreement and Bill of Sale and is an administrative function, that is required as part of the terms of the Lease at the existing airport and would result in the continued operation of the airport on the leased premises under modified contractual responsibilities. No significant direct or indirect environmental impacts 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.

Signature: Jose Ruiz Date: 9.16.25

Jose Ruiz
Supervising Development Specialists
County of Riverside TLMA-Aviation Division

RIVERSIDE COUNTY CLERK & RECORDER

AUTHORIZATION TO BILL
BY JOURNAL VOUCHER

Project Name: Approval and Consent to Bill of Sale of Aircraft Storage Hangar between Richard Kimball, an individual, and Micheal Werhanowicz, an individual, and Consent to Assignment of Lease between Richard Kimball, an individual, and Micheal Werhanowicz, an individual, French Valley Airport

Accounting String: 523230-40710-1910700000 - ED19100001
DATE: September 16, 2025
AGENCY: Riverside County

THIS AUTHORIZES THE COUNTY CLERK & RECORDER TO BILL FOR FILING AND HANDLING FEES FOR THE ACCOMPANYING DOCUMENT(S).

NUMBER OF DOCUMENTS INCLUDED: One (1)

AUTHORIZED AND PRESENTED BY: Jose Ruiz, Supervising Development Specialists, TLMA-Aviation

Signature: Jose Ruiz

-TO BE FILLED IN BY COUNTY CLERK-
ACCEPTED BY:
DATE:
RECEIPT # (S)