

# Los Angeles Unified School District

## Office of Environmental Health and Safety

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Interim Superintendent of Schools

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District Operations and Digital Innovation

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Director, Environmental Health and Safety

CARLOS A. TORRES  
Deputy Director, Environmental Health and Safety

ORIGINAL FILED

MAY 15 2018

LOS ANGELES, COUNTY CLERK

### NOTICE OF EXEMPTION

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**To:** County Clerk and Registrar-Recorder  
County of Los Angeles  
12400 Imperial Highway  
Norwalk, CA 90650

**From:** LAUSD OEHS  
333 South Beaudry Avenue  
21<sup>st</sup> Floor  
Los Angeles, CA 90017

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**Project Title:**

Commonwealth Avenue Elementary School – Shade Structure Project

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**Project Location – Specific:**

The Commonwealth Avenue Elementary School Shade Structure Project (Project) will be located on the 2.9-acre Commonwealth Avenue Elementary School (ES) campus (Campus). Commonwealth Avenue ES is located at 215 South Commonwealth Avenue, Los Angeles, CA 90004 and is bound by multi-family residential properties to the north, Commonwealth Avenue to the east, West 3<sup>rd</sup> Street to the south, and South Virgil Avenue to the west.

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**Project Location – City:**

Los Angeles

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**Project Location – County:**

Los Angeles

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**Description of Nature, Purpose, and Beneficiaries of Project:**

The Project consists of installing a new 1,200-square foot shade structure in the playground area; Americans with Disabilities Act (ADA) compliant path of travel (POT) upgrades; and ADA compliant toilet upgrades. The Project will be implemented per all applicable local and State regulations, current ADA accessibility standards,<sup>1</sup> as well as all District Standards and Specifications; such as those provided in LAUSD's Program Environmental Impact Report for the School Upgrade Program (Program EIR).<sup>2</sup> The Project will be constructed per Division of State Architect approved plans. The Project would not cause an increase in student capacity or enrollment and would not result in an increase in the intensity of use of the Campus. The beneficiaries of the Project include students and staff at Commonwealth Avenue ES and the

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<sup>1</sup> US Department of Justice Civil Rights Division, "2010 ADA Standards for Accessible Design", [https://www.ada.gov/2010ADASTandards\\_index.htm](https://www.ada.gov/2010ADASTandards_index.htm).

<sup>2</sup> LAUSD OEHS, "School Upgrade Program Final Environmental Impact Report," <http://achieve.lausd.net/ceqa>, Adopted by the Board of Education on November 10, 2015

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*Our Mission: To ensure a safe and healthy environment for students to learn, teachers to teach, and employees to work.*

*Our Vision: To eliminate all environmental, health, and safety risks at schools.*

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community at large who may request access to the school's facilities and grounds pursuant to the Civic Center Act (CA Ed. Code Sections 38130 - 38139).

**Name of Public Agency Approving the Project:**

Los Angeles Unified School District

**Name of Person or Agency Carrying Out Project:**

Los Angeles Unified School District

**Exempt Status: (check one below)**

- Ministerial [Public Resources Code (PRC) Section 21080(b)(1); CEQA Guidelines Section 15268<sup>3</sup>]:
- Declared Emergency [PRC Section 21080(b)(3); CEQA Guidelines Section 15269(a)]:
- Emergency Project [PRC Section 21080(b)(4); CEQA Guidelines Section 15269(b)(c)]:
- Categorical Exemption (PRC Section 21084; CEQA Guidelines Sections 15300 -15333):
- *CEQA Guidelines Section 15301 – Existing Facilities*
  - *CEQA Guidelines Section 15303 – New Construction or Conversion of Small Structures*
  - *CEQA Guidelines Section 15314 – Minor Additions to Schools*
- Statutory Exemption:

**Reasons why project is exempt:**

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 use beyond that existing at the time of the lead agency's determination.

The installation of a new shade structure in the Campus playground area, ADA POT upgrades, and ADA toilet upgrades constitute minor alterations of the existing facilities at the Campus. The Project will be installed completely within the boundaries of the existing Campus and will not require or result in the expansion of use beyond the existing Campus. Therefore, the Project fulfills the requirements for a Class 1 Categorical Exemption.

Section 15303 New Construction or Conversion of Small Structures.

Class 3 consists of construction and location of limited numbers of new, small facilities or structures; installation of small new equipment and facilities in small structures; and the conversion of existing small structures from one use to another where only minor modifications are made to the exterior of the structure.

The installation of a 1,200-square foot shade structure in the Campus playground area constitutes construction of a new, small structure. Therefore, the Project fulfills the requirements for a Class 3 Categorical Exemption.

Section 15314 Minor Additions to Schools

Class 14 consists of minor additions to existing schools within existing school grounds where the addition does not increase original student capacity by more than 25% or ten classrooms, whichever is less. The addition of portable classrooms is included in this exemption.

<sup>3</sup> CEQA Guidelines can be found at California Code of Regulations Title 14, Chapter 3, Section 15000 - Section 15387.

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The installation of a 1,200-square foot shade structure in the Campus playground area constitutes a minor addition to a school. No increase in student capacity is expected to result from the Project. Therefore, the Project fulfills the requirements for a Class 14 Categorical Exemption.

#### Section 15300.2 – Exceptions

Section 15300.2 of the CEQA Guidelines, Exceptions, provides conditions under which categorical exemptions are inapplicable. Review of the Project indicates that it will not violate any of the exceptions, as described in the following section.

1. *The project will occur in certain specified sensitive environments or locations;*  
The Project would be located on the existing Campus. The Campus is fully developed and situated within an urban community.<sup>4</sup> The Project site has not been designated as a biologically sensitive location. The nearest sensitive environment to the Project site is the Griffith Park Significant Ecological Area (SEA), located approximately 3.3 miles north of the Campus.<sup>5</sup> The nearest critical habitat is for the Coastal California gnatcatcher, located 10.9 miles southeast of the Campus.<sup>6</sup> Therefore, the Project will not impact sensitive environments or locations.
2. *Cumulative impacts will be considerable because successive projects of the same type will occur at the same place over time;*  
Currently, there are no successive projects of the same type planned for the Campus. Therefore, the Project, when considered with successive projects, would not result in considerable cumulative impacts.
3. *There is a reasonable possibility that the activity will have a significant effect on the environment due to unusual circumstances;*

The Project will result in minor ground-disturbing activities and asphalt removal associated with the installation of the new shade structure's support columns and footings. These activities are not considered unusual circumstances for the classes of projects under which an exemption is claimed. Nevertheless, consideration must be given to the management of asphalt removal and excavated soils associated with earthwork activities. As the Project involves the removal of asphalt, soil sampling and testing for characterization is required prior to demolition and removal of asphalt. Excavated soils will only be reused onsite if they are placed beneath paved areas. If construction or earthmoving activities require import or export of soils and materials, LAUSD's Office of Environmental Health & Safety (OEHS) will provide oversight to ensure that these activities are conducted in compliance with the requirements of District Specification 01 4524, relevant provisions of South Coast Air Quality Management District Rule 1466, and other applicable environmental agency rules and requirements. Although the ground disturbance will be minimal and is not expected to disturb native soil, LAUSD's Standard Conditions (SC) of Approval including SC-CUL-13, SC-CUL-15, and SC-CUL-18, that require construction activities to be stopped immediately and OEHS notified upon discovery of subsurface features, such as buried resources (i.e., paleontological resources, archaeological resources), tanks or seepage pits, or stained/odoriferous soils will be incorporated, as necessary. Lastly, construction and demolition waste will be recycled to the maximum extent feasible per SC-USS-1 of LAUSD's Program Environmental Impact Report.<sup>7</sup> Therefore, no reasonable possibility exists that the Project will have a significant effect on the environment due to unusual circumstances.

<sup>4</sup> City of Los Angeles Planning Department, *Zoning and Information Management System*, <http://zimas.lacity.org/>, accessed March 2018.

<sup>5</sup> Los Angeles County Department of Regional Planning, [http://gis.planning.lacounty.gov/GIS-NET3\\_Public/Viewer.html](http://gis.planning.lacounty.gov/GIS-NET3_Public/Viewer.html), accessed March 2018.

<sup>6</sup> United States Fish and Wildlife Service Critical Habitat Portal, <https://ecos.fws.gov/ecp/report/table/critical-habitat.html> accessed March 2018.

<sup>7</sup> LAUSD OEHS, "School Upgrade Program Final Environmental Impact Report," <http://achieve.lausd.net/ceqa>, Adopted by the Board of Education on November 10, 2015.



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If the Project scope changes to include the removal of trees, LAUSD's Office of Environmental Health & Safety (OEHS) must be notified immediately. District policy requires consultation with an arborist to determine if the trees are a protected native species. Additionally, written approval from the school principal will be required before any trees can be removed. If tree removal is scheduled to occur between February 1 and August 31, a nesting bird survey would be performed prior to removal activities, per standard condition (SC) of approval SC-BIO-3 of the Program EIR.<sup>8</sup>

4. *The project may result in damage to scenic resources, including but not limited to trees, historic buildings, rock outcroppings, or similar resources within a highway officially designated as a scenic highway;*

Commonwealth Avenue ES is located approximately 12 miles southwest of State Route 2 (SR 2), the nearest officially designated State scenic highway.<sup>9</sup> The Campus is not visible from and does not provide views to SR2. Therefore, the Project will not result in damage to scenic resources or similar resources within a highway that is officially designated as a State scenic highway.

5. *The project is located on a site which is included on any list compiled pursuant to Section 65962.5 of the Government Code; or*

The Project will occur on an existing school campus which is not included on any list compiled pursuant to Section 65962.5 of the Government Code.<sup>10</sup> Therefore, the Project will not have an impact related to being located on a hazardous waste site.

6. *The project may cause a substantial adverse change in the significance of a historic resource.*

The Commonwealth Avenue ES Campus was opened in 1916 and therefore meets the 45-year age criterion for consideration as a historic resource. A Historic Resources Evaluation prepared for Commonwealth Avenue ES in 2017 found that the school is not eligible for listing in the California Register and is therefore not considered a historical resource pursuant to CEQA.<sup>11</sup> The Campus and their buildings do not meet the standards described in the Los Angeles Unified School District Historic Context Statement, 1870-1969 for eligibility under any applicable criteria related to LAUSD, nor do they represent an outstanding or distinctive example of architectural design or the work of a master architect. Research conducted to date did not reveal that the Campus was the site of a significant event or pattern of development or that the Campus was associated with a person of significance in the community, state, or nation. Therefore, the Project does not have the potential to cause a substantial adverse change in a historic resource.

Prepared By:

Cinah Daqiq  
Environmental Specialist/Research Associate

Signed by:

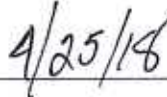


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Date:



<sup>8</sup> *Ibid.*  
<sup>9</sup> Los Angeles County Department of Regional Planning, [http://gis.planning.lacounty.gov/GIS-NET3\\_Public/Viewer.html](http://gis.planning.lacounty.gov/GIS-NET3_Public/Viewer.html), accessed March 2018.  
<sup>10</sup> [http://www.dtsc.ca.gov/SiteCleanup/Cortese\\_List.cfm](http://www.dtsc.ca.gov/SiteCleanup/Cortese_List.cfm), accessed March 2018.  
<sup>11</sup> LAUSD. 2018. Historic Resources Inventory. Los Angeles, CA.