

Los Angeles Unified School District

Office of Environmental Health and Safety

AUSTIN BEUTNER
Superintendent of Schools

VIVIAN EKCHIAN
Deputy Superintendent

CARLOS A. TORRES
Director, Environmental Health and Safety

JENNIFER FLORES
Deputy Director, Environmental Health and Safety

NOTICE OF EXEMPTION

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JUN 28 2019
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LOS ANGELES COUNTY CLERK
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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
21st Floor
Los Angeles, CA 90017

Project Title:

Community Healing Gardens, Watts Healing Tech Garden Technology Deployment at Edwin Markham Middle School

Project Location – Specific:

The Community Healing Gardens, Watts Healing Tech Garden Technology Deployment at Edwin Markham Middle School (Project) will occur on the 18.97-acre Edwin Markham Middle School campus (Campus). The Campus is located at 1650 East 104th Street in the City of Los Angeles. The Campus is located in an urbanized community primarily consisting of commercial uses, multi-family and single-family residences.

Project Location – City:

Los Angeles

Project Location – County:

Los Angeles

Description of Nature, Purpose, and Beneficiaries of Project:

The Project will implement several technology upgrades in the existing community garden that will lower operating costs, improve water and energy efficiency, increase safety, and offer educational opportunities for the larger community. The Project will install several water and soil moisture monitors along beds to track water usage and address repairs. The current irrigation system will be upgraded with an addition of new pipes and replacement of damaged irrigation pipes. Weather barrier and reflective surface coating will be applied to the walkways throughout the garden to reduce the heat island effect. A single photovoltaic solar panel will be installed as a part of this Project to power LED safety lighting fixtures. The Project will not result in an increase in the student enrollment or require an alteration of the current use, function, or capacity of the existing facilities or Campus.

The Project will be implemented pursuant to all applicable State, federal, and local regulations and all applicable LAUSD specifications, standards, and/or guidelines, including those in compliance with the California Environmental Quality Act (CEQA) and the updated Standard Conditions of Approval for District Construction, Upgrade, and Improvements Projects

Doc# 703383

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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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as adopted by the Board of Education in February 2019 (SC).¹ LAUSD's SCs, design guidelines, and best management practices are designed to be incorporated into the Project design in order to avoid or limit potential adverse impacts associated with the District's projects.

The beneficiaries of this Project are the Edwin Markham Middle School (Markham MS) students, faculty, staff, families, school supporters, and the community at large who may request access to the Campus 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 15268²]:
- 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 15304 – Minor Alterations to Land*

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 Project will implement several technology upgrades in the existing community garden that will lower operating costs, improve water and energy efficiency, increase safety, and offer educational opportunities for the larger community. The Project will install several water and soil moisture monitors along beds to track water usage and address repairs. The current irrigation system will be upgraded with an addition of new pipes and replacement of damaged irrigation pipes. Weather barrier and reflective surface coating will be applied to the walkways throughout the garden to reduce the heat island effect. A single photovoltaic solar panel will be installed as a part of this Project to power LED safety lighting fixtures. Therefore, the Project fulfills the requirements of CEQA Guidelines Section 15301.

Section 15304 – Minor Alterations to Land

Class 4 consists of minor public or private alterations in the condition of land, water, and/or vegetation which do not involve removal of healthy, mature, scenic trees except for forestry or agricultural purposes.

¹ LAUSD OEHS, "Standard Conditions of Approval for District Construction, Upgrade, and Improvements Projects," Adopted by the Board of Education on February 5, 2019.

² CEQA Guidelines can be found at California Code of Regulations Title 14, Chapter 3, Section 15000 – Section 15387.

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The Project will implement several technology upgrades in the existing community garden that will lower operating costs, improve water and energy efficiency, increase safety, and offer educational opportunities for the larger community. The Project will install several water and soil moisture monitors along beds to track water usage and address repairs. The current irrigation system will be upgraded with an addition of new pipes and replacement of damaged irrigation pipes. Weather barrier and reflective surface coating will be applied to the walkways throughout the garden to reduce the heat island effect. A single photovoltaic solar panel will be installed as a part of this Project. Therefore, the Project fulfills the requirements of CEQA Guidelines Section 15304.

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 described below.

1. *The project would occur in certain specified sensitive environments or locations;*

The Project will be located on a fully developed campus. The Campus has not been designated as a sensitive or biological site and no sensitive or biological resources have been identified on the Campus that will be impacted by the Project.³ The Project will consist of in-kind construction to previously disturbed areas on an existing campus that is not on or within the immediate proximity of any sensitive environment. The nearest significant ecological area (SEA) is the Harbor Lake Regional Park, located approximately 10.2 miles east of the Project site.⁴ These improvements will not require alterations, removal, destruction or any other form of impact to any sensitive or biological resources. Therefore, the Project will not have the potential to adversely impact sensitive or biological resources.

2. *Cumulative impacts would be considerable because successive projects of the same type would occur at the same place over time;*

Currently, there are no other successive projects of the same type planned at the Campus during the same construction period.⁵ All known activities that will occur on the Campus during the same construction period have been discussed in the project description. The Project will not have the potential to result in significant impacts that will be considered cumulatively considerable. Therefore, no cumulative impacts will be expected to result from the modifications, upgrades, and improvements associated with the Project.

3. *There is a reasonable possibility that the activity would have a significant effect on the environment due to unusual circumstance;*

There are no known unusual circumstances that would have a significant effect on the environment. The Project may include minor ground-disturbing activities. 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 pavement removal and excavated soils associated with earthwork activities for the Project. The Project involves the removal of decomposed granite, asphalt, and pavement, which requires soil sampling and testing for characterization prior to removal. Excavated soils will only be reused onsite if they are placed beneath paved areas. OEHS must be notified to provide oversight of any import or export of soils and materials to ensure

³ City of Los Angeles. ZIMAS. Available at: <http://zimas.lacity.org>. Accessed April 2019.

⁴ United States Fish and Wildlife Service Critical Habitat Portal, <https://ecos.fws.gov/ecp/report/table/critical-habitat.html> accessed April 2019.

⁵ LAUSD. Facilities Services Division, Facilities Initiatives. Available at: <http://mo.laschools.org/fis/existing-facilities/m-and-o/ef-projects/project-segments?locn=8557>. Accessed April 2019.

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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.⁶ Furthermore, as set forth in SC-CUL-7, SC-CUL-9, SC-CUL-10, and SC-CUL-11 and in District protocols, construction activities must 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.⁷ Lastly, any construction and demolition waste shall be recycled to the maximum extent feasible per SC-USS-1.⁸ Therefore, the Project will not have a significant effect on the environment due to unusual circumstances.

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;*

The Project site is located approximately 20 miles south of State Route 2 (SR 2), the nearest officially designated State scenic highway.⁹ The Campus is not visible from SR2 and the Project does not involve alterations to the Campus that would have the potential to damage scenic resources. Therefore, the Project will not be expected to result in damage to scenic resources or similar resources within a highway 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 Campus associated with the Project is not included on any list compiled pursuant to Section 65962.5 of the Government Code.¹⁰ Therefore, the Project will not be expected to result in impacts 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.*

Markham MS is over 45 years old, meeting LAUSD's threshold for review as a potential historic resource and requiring evaluation for historic eligibility. LAUSD has identified Markham MS as eligible for listing as a historic resource per Section 18955 of the California State Historical Building Code (CHBC).¹¹ The scope of the Project is well outside the Campus' area of historic eligibility and would not affect the historic eligibility of the campus. Therefore, LAUSD's Historic Preservation Specialist has determined that the Project will not be expected to materially impair the significance of the historic resource and therefore will not be expected to cause a substantial adverse historic impact.

⁶ LAUSD OEHS, "Section 01 4524 Environmental Import/Export Materials Testing", http://www.laschools.org/documents/file?file_id=219798234&show_all_versions_p=t

⁷ *Ibid.*

⁸ *Ibid.*

⁹ California Department of Transportation. California Scenic Highway Mapping System. Available at: http://www.dot.ca.gov/hq/LandArch/16_livability/scenic_highways/index.htm. Accessed April 2019.

¹⁰ California Department of Toxic Substances Control. DTSC Databases. Available at: <http://www.dtsc.ca.gov/database/index.cfm>. Accessed April 2019.

¹¹ State of California. 2003. State Historical Building Code, Health and Safety Code, Division 13, Part 2.7, Section 18955. Available at:

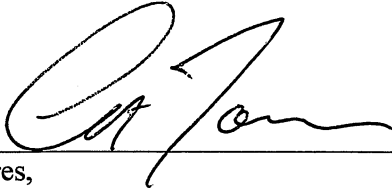
http://www.dgs.ca.gov/dsa/AboutUs/shbsb/shbsb_health_safety.aspx. Also see California Building Standards Commission. 2014. California Code of Regulations, Title 24, California Historical Building Code, Section 8-101.2. Washington, DC. p. 4.

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Prepared By:

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Signed by:



Carlos A. Torres,
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Date:

6/24/19