

Los Angeles Unified School District

Office of Environmental Health and Safety

AUSTIN BEUTNER
Superintendent of Schools

VIVIAN EKCHIAN
Deputy Superintendent

CARLOS A. TORRES
Interim Director, Environmental Health and Safety

NOTICE OF EXEMPTION

ORIGINAL FILED

NOV 02 2018

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 S. Beaudry Avenue
21st Floor
Los Angeles, CA 90017

Project Title:

Emerson Community Charter School – Fire Damage and ADA upgrades

Project Location – Specific:

Emerson Community Charter School (CC or Campus) is located at 1650 Selby Ave. Los Angeles, CA 90024. The Site is a 5.2-acre property bounded on the northwest by the St. Paul Apostle Catholic Church, on the northeast by property owned by the Church of Jesus Christ of Latter-Day Saints, on the southeast by North Temple Way, and on the southwest by Selby Avenue. The Project will occur throughout the Campus.

Project Location – City:

Los Angeles

Project Location – County:

Los Angeles

Description of Nature, Purpose, and Beneficiaries of Project:

The Project is to repair fire damage which occurred in the craft building, upgrade accessible routes, and upgrade restrooms in the craft building.

The Project will not cause an increase in student capacity or enrollment and will not result in an increase in the intensity of use. The primary purpose of the Project is to repair fire damage which occurred in the craft building, accessible route upgrades, and upgrade restrooms in the craft building. The Project will be constructed per Division of State Architect approved design specifications. The Project will be implemented per all applicable local and State regulations, the Americans with Disabilities Act (ADA), 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).¹ The beneficiaries of

¹ LAUSD, 2015. 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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the Project include students and staff at each of the respective schools and the community at large who may request access to the 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 15302 – Replacement or Reconstruction*
- 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 scope of the Project focuses on repairing fire damage which occurred in the craft building, accessible route upgrades, and upgrade restrooms in the craft building. All of the proposed activities will occur within the area occupied by existing facilities at the school sites. The Project will not require the addition or construction of any new or expanded facilities. The improvements will not present a new or expanded use of the site. Therefore, the Project constitutes minor alterations to an existing school site that result in no expansion of use and meets the requirements of CEQA Guidelines Section 15301.

Section 15302 Replacement or Reconstruction

Class 2 consists of replacement or reconstruction of existing structures and facilities where the new structure will be located on the same site as the structure replaced and will have substantially the same purpose and capacity as the structure replaced.

The scope of the Project includes the replacement or reconstruction of the existing craft building and minor upgrades to the restrooms. There is no expansion of capacity.

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

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Section 15300.2 Exceptions

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

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

This exception only applies to Class 3, 4, 5, 6 or 11 exemptions. Therefore, it does not apply to the Project.

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

The Project will not be expected to result in significant cumulative environmental impacts. As an active school campus, it is anticipated that projects such as routine maintenance activities or upgrades will occur on the Campus in the future. However, there are currently no known successive projects of the same type or scale planned for the Campus. As it stands, the Project is not expected to result in significant impacts. Therefore, no cumulative impacts will result from the Project and successive projects of the same type occurring at the same place over time.

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

There are no known unusual circumstances that will have a significant effect on the environment. The removal of trees is not anticipated as part of the proposed scope of work. However, should the Project be altered to include the removal of trees, then 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 vegetation 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.³ Compliance with District specifications will ensure that there is not a reasonable possibility that the Project will have a significant effect on the environment due to unforeseen circumstances

There may be some minor ground-disturbing activities associated with the Project that will occur, but such activities are not considered unusual circumstances for the classes of projects under which this exemption is claimed. Nevertheless, consideration must be given to the management of excavated soils associated with earthwork activities for the Project. 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, the OEHS must be notified to provide oversight to ensure that these activities are conducted in compliance with the requirements of District Specification 01 4524,⁴ relevant provisions of South Coast Air Quality Management District Rule 1466, and other applicable environmental agency rules and requirements. Furthermore, as set forth in LAUSD's Standard Conditions of Approval (SC) SC-CUL-13, SC-CUL-15, SC-CUL-18, and SC-CUL-19⁵ 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. Construction and demolition waste shall be recycled to the maximum extent feasible per SC-USS-1 of the

³ LAUSD OEHS, "School Upgrade Program Final Environmental Impact Report," <http://achieve.lausd.net/ceqa>, Adopted by the Board of Education on November 10, 2015.

⁴ http://www.laschools.org/documents/file?file_id=219798234&show_all_versions_p=t

⁵ 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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Program EIR.⁶ 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 closest designated scenic highway to the Project is the State Route 2, located approximately 33 miles northeast of Emerson Community CC.⁷ This is a sufficient distance from this resource to be outside of the view shed, so the Project will not impact the characteristics that contribute to its scenic eligibility. Therefore, the Project will not 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 Project will occur on an existing school campus that is not included on any list compiled pursuant to Section 65962.5 of the Government Code.⁸ Therefore, the Project will have no 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.*

The campus is over 45-years old, meeting the age criterion for consideration as an historic resource under CEQA guidelines. District surveys found that Emerson CC appeared eligible for listing in the National Register of Historic Places as an individual property through survey evaluation and registered in the California Register of Historic Resources.⁹

The proposed work to repair fire damage which occurred in the craft building, accessible route upgrades, and upgrade restrooms in the craft building will not remove, destroy, or obstruct any historic character-defining features and will be undertaken in accordance with the *Secretary of the Interior's Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring, and Reconstructing Historic Buildings (Secretary's Standards)* and the *Los Angeles Unified School District Design Guidelines and Treatment Approaches for Historic Schools (LAUSD Design Guidelines)*.^{10, 11} To ensure that the Project follows the *Secretary's Standards* and *LAUSD Design Guidelines*, the Project will also be subject to internal review by OEHS at the schematic, 50 percent/design development phase, and 100 percent construction drawings phase.

In accordance with CEQA Guidelines Section 15064.5(b) (3), a project that conforms to the *Secretary's Standards* is generally considered to be a project that will not cause a significant adverse impact and material impairment (14 CCR Section 15126.4(b) (1)). If a project meets the *Secretary's Standards*, the project can, in most cases, be considered categorically exempt from CEQA (14 CCR Section 15331) and qualify for a Notice of Exemption. The work shall conform with the *Secretary's Standards* and the *LAUSD Design Guidelines*, therefore the Project meets the requirements specified in CEQA Guidelines Section 15064.5(b)(3), will not materially impair the significance of a historic resource, and will not result in an impact to the environment.

⁶ *Ibid.*

⁷ http://www.dot.ca.gov/hq/LandArch/scenic_highways/index.htm. October 9, 2009

⁸ California, State of, Department of Toxic Substances Control, Envirostor Database, <http://www.envirostor.dtsc.ca.gov/public/search.asp>, accessed June 5, 2018.

⁹ LAUSD OEHS. 2017. LAUSD Historic Resource Inventory Database.

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Should the scope of the Project be altered from the scope of work described above, standard District procedure requires that OEHS must be notified immediately to ensure that these activities are conducted in compliance with the *Secretary's Standards* and will not cause a substantial adverse change in the significance of a historical resource.

Prepared By:

Alex Campbell,
Assistant CEQA Project Manager/Contract Professional

Signed by:



Carlos A Torres,
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Date:

10/23/18