

Los Angeles Unified School District

Office of Environmental Health and Safety

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NOTICE OF EXEMPTION

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FEB 01 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 South Beaudry Avenue
21st Floor
Los Angeles, CA 90017

Project Title:

Portable Removal and Replacement Project

Project Location – Specific:

The Portable Removal and Replacement Project (Project) will be located on the following Los Angeles Unified School District (LAUSD) campuses:

Ivanhoe Elementary School (2828 Herkimer Street, Los Angeles, California, 90039)

Franklin Avenue Elementary School (1910 North Commonwealth Avenue, Los Angeles, California, 90027)

Project Location – City:

Los Angeles

Project Location – County:

Los Angeles

Description of Nature, Purpose, and Beneficiaries of Project:

The scope of the Project includes the replacement of temporary portable buildings with permanent facilities. Specifically, the Project will include the removal of seven portable buildings containing 11 classrooms at Ivanhoe Elementary School (Ivanhoe) and the removal of five portable buildings containing 10 classrooms at Franklin Avenue Elementary School (Franklin). The portable buildings will be replaced with the construction of a new 2-story building with 15 classrooms, support spaces, and food service facility at Ivanhoe; and a new 2-story building with 12 classrooms, support spaces, parking structure, new automatic Campus-wide fire alarm system, and new food service facility at Franklin.

Doc# 593112

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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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The Project will also include infrastructure upgrades to support the new facilities; Americans with Disabilities Act (ADA)¹ access components to provide access to the new facilities; and restoration of landscape, hardscape, and playground areas where the portable buildings will be removed. The ADA compliance improvements are legal requirements mandated by the California Building Code Standard via the Division of State Architect (DSA) and include path of travel and accessibility upgrades.

Negligible increases in enrollment, capacity, or intensity of use are proposed as part of this Project. The Project will be implemented pursuant to all District Standards and Specifications, as well as all applicable State, federal, and local regulations, including DSA review and approval of drawings and those Standard Conditions provided in LAUSD's Program Environmental Impact Report for the School Upgrade Program (Program EIR).² The beneficiaries of the Project include Ivanhoe and Franklin 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 15268³]:
- 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*
 - *CEQA Guidelines Section 15304 – Minor Alterations to Land*
 - *CEQA Guidelines Section 15311 – Accessory 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 Project includes campus-wide fire alarm system upgrades, infrastructure upgrades, ADA compliance improvements, and restoration of landscape, hardscape, and playground areas at existing campuses. Specifically, ADA improvements include accessible path of travel associated with the upgrades, including an elevator and ramp. The Project will result in two additional classrooms at Franklin to support projected overcrowding. This will result in a negligible physical

¹ United States Department of Justice. The Americans with Disabilities Act of 1990 and Revised Regulations Implementing Title II and Title III. https://www.ada.gov/2010_regs.htm

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

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

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expansion of school facilities and will not significantly increase the intensity of use or student or staff capacity. Therefore, the Project satisfies 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 Project will replace classrooms in portable buildings with classrooms in permanent buildings. The new permanent buildings will have substantially the same purpose and capacity as the portable buildings being replaced. Therefore, the Project satisfies the requirements of CEQA Guidelines Section 15302.

Section 15311 Accessory Structures

Class 11 consists of construction or placement of minor structures accessory to (appurtenant to) existing commercial, industrial, or institutional facilities, including, but not limited to, on premise signs and small parking lots.

The campus-wide fire alarm system upgrades and ADA compliance components of the Project include the construction or replacement of minor structures accessory to existing school facilities, including path of travel and accessibility upgrades. These components of the Project qualify as construction or replacement of minor structures accessory to existing school facilities. Therefore, the Project satisfies the requirements of CEQA Guidelines Section 15311.

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.

The Project includes the placement of interim portable classrooms during construction of the permanent classrooms. The interim classrooms will be used to offset the classrooms not available for use during construction. The interim classrooms will be removed once construction is complete and will not permanently increase the student capacity or the number of classrooms. 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.

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

The nearest sensitive environments to the Project sites are Federally designated critical habitat and Significant Ecological Areas. The table below shows the distances of the Project sites to the nearest sensitive environments. The campuses are fully developed, existing school sites within highly urbanized communities. The Project sites have not been designated as biologically sensitive locations and the Project would not require the removal of any biologically sensitive uses. As such, the Project will not impact sensitive environments or locations.

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Distance of Each School to the Nearest Sensitive Environment

School	Distance to the Nearest Sensitive Environment	Description of Sensitive Environment
Ivanhoe Elementary School	0.91 mile	Griffith Park
Franklin Avenue Elementary School	0.92 mile	Griffith Park

Notes: The distances from the schools to the nearest sensitive environments were measured using interactive maps provided by the USFWS and LA County (United States Fish and Wildlife Service Critical Habitat Portal, <https://ecos.fws.gov/ecp/report/table/critical-habitat.html> accessed December 12, 2017 and Los Angeles County Department of Regional Planning, http://gis.planning.lacounty.gov/GIS-NET3_Public/Viewer.html, accessed December 12, 2017).

If the Project includes 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 protected native species. Additionally, written approval from the school principal will be required before any trees can be removed. If tree removal or trimming is scheduled to occur between February 1 and August 31, a nesting bird survey would be performed prior to removal activities, per Standard Condition of approval SC-BIO-3 of the Program EIR.⁴

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

LAUSD has portable replacement projects at other LAUSD campuses. While there will be successive projects of the same type, they will not occur at the Ivanhoe or Franklin school campuses. Therefore, there will be no cumulative impacts because of successive projects of the same type occurring at the same place over time.

- 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 would have a significant effect on the environment. Some minor ground-disturbing activities associated with the Project will occur. 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 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 4524,⁵ 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-19⁶ 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 Program EIR.⁷ Therefore, the Project would not have a significant effect on the environment due to unusual circumstances.

- 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;*

⁴ LAUSD OEHS, "School Upgrade Program Final Environmental Impact Report," <http://achieve.lausd.net/ceqa>, Adopted by the Board of Education on November 10, 2015.

⁵ http://www.laschools.org/documents/file?file_id=219798234&show_all_versions_p=t

⁶ LAUSD OEHS, "School Upgrade Program Final Environmental Impact Report," <http://achieve.lausd.net/ceqa>, Adopted by the Board of Education on November 10, 2015.

⁷ *Ibid.*

The closest designated scenic highway to the Project is the State Route 2, located approximately 8.1 miles northeast of Ivanhoe which is the closest school.⁸ This is a sufficient distance from this resource to be outside of the view shed and would not degrade the characteristics that contribute to its scenic eligibility. Therefore, the Project would 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 existing school campuses that are not included on any list compiled pursuant to Section 65962.5 of the Government Code.⁹ Therefore, the Project would 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.*

Both schools are over 45-years old, meeting the age criterion for consideration as an historic resource under CEQA guidelines. Previous surveys found that both schools are eligible as historic resources. Ivanhoe is eligible for listing in the National Register of Historic Places and the California Register of Historic Resources.¹⁰ Franklin was found eligible for the California Register of Historic Resources.¹¹

Therefore, the Project shall follow the *Secretary of the Interior's Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring, and Reconstructing Historic Buildings*, the *Secretary of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings (Secretary's Standards)* and *Los Angeles Unified School District Design Guidelines and Treatment Approaches for Historic Schools (LAUSD Design Guidelines)*.^{12,13,14} The Project will avoid removing, destroying, or obstructing any historic character-defining features, shall use the least invasive methods for all work involving character-defining features, and shall ensure that any new additions, materials, or features are compatible with the historic character of the school. To ensure that the Project follows the *Secretary's Standards* and *LAUSD Design Guidelines*, and avoids adverse impacts to the historic district, the following considerations will guide the design of new construction; infrastructure upgrades; ADA compliance components; and restoration of landscape, hardscape, and playgrounds.

- The Design-Build team will include a Historic Architect meeting the professional qualifications standards described in the *LAUSD Design Guidelines*.¹⁵
- All work will follow the *LAUSD Design Guidelines* and the *Secretary's Standards*.¹⁶
- The Historic Architect will identify and provide to the Design-Build team options for meeting the above-mentioned guidelines. The focus of the Historic Architect's work will be (1) identifying design options, with

⁸ http://www.dot.ca.gov/hq/LandArch/scenic_highways/index.htm. October 9, 2009

⁹ California, State of, Department of Toxic Substances Control, Envirostor Database, <http://www.envirostor.dts.ca.gov/public/search.asp>, accessed October 26, 2017.

¹⁰ LAUSD OEHS. 2017. LAUSD Historic Resource Inventory Database.

¹¹ LAUSD OEHS. 2017. LAUSD Historic Resource Inventory Database.

¹² National Park Service, Department of the Interior, Washington, D.C. 1995. "The Secretary of the Interior's Standards for Rehabilitation, with Guidelines for Rehabilitating, Preserving, Restoring, and Reconstructing Historic Buildings."

¹³ National Park Service, Department of the Interior, Washington DC. 1997. *Secretary of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings*. Available at: <https://www.nps.gov/tps/standards/rehabilitation/rehabilitation-guidelines.pdf>

¹⁴ LAUSD OEHS, 2015. "Los Angeles Unified School District Design Guidelines and Treatment Approaches for Historic Schools."

¹⁵ *Ibid*.

¹⁶ National Park Service, Department of the Interior, Washington, D.C. 1995. "The Secretary of the Interior's Standards for Rehabilitation, with Guidelines for Rehabilitating, Preserving, Restoring, and Reconstructing Historic Buildings."

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respect to mass/scale, siting, and architectural character, that will retain and reinforce character-defining features of the historic district and its contributing features, and (2) ensuring that ADA compliance components, and restoration of landscape, hardscape, and playgrounds follow the applicable historic preservation guidelines and standards.

- The Historic Architect will identify design options for ensuring that (1) new construction meets the Project needs and is compatible but differentiated from the surrounding historic resources and that (2) infrastructure upgrades; ADA components; and restoration of landscape, hardscape, and playgrounds are carried out in a way that retains and protects character-defining features.
- The Historic Architect will provide a brief written memo, on a template to be provided by LAUSD, describing how principal Project components conform with the *Secretary's Standards* and above-mentioned guidelines.
- The Project will be subject to internal review by OEHS at the schematic, 50 percent/design development phase, and 100 percent construction drawings phase to ensure ongoing compliance with the *Secretary's Standards* and applicable guidelines.

In accordance with CEQA Guidelines Section 15064.5(b)(3), a project that conforms with 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.

Should the scope of the Project be altered from the components that are 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* a would not cause a substantial adverse change in the significance of a historic resource.

Prepared By:

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Signed by:



Robert Laughton
CEQA Officer of the Los Angeles Unified School District

Date:

