

Los Angeles Unified School District

Office of Environmental Health and Safety

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NOTICE OF EXEMPTION

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FEB 08 2019

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:

David Starr Jordan High School Removal Action Workplan and Replacement of Softball Field and Hard Courts

Project Location – Specific:

The David Starr Jordan High Removal Action Workplan and Replacement of Softball Field and Hard Courts project (Project) would be located on the approximately 20-acre campus of David Starr Jordan High School (Campus). The Campus is located at 2265 East 103rd Street in the City of Los Angeles, community of Watts. The Los Angeles Assessor's Parcel Numbers (APNs) for the Campus are: 6046-020-901 and 6046-021-918. The Campus is bound by 103rd Street to the south. South Alameda Street borders portions of the eastern boundary while several commercial and light industrial land uses are located along the northeastern and southeastern boundaries of the Campus. The Jordan Downs Redevelopment Project is located north of the Campus and the Jordan Downs Housing Development is located immediately adjacent to the west end of the Campus. The Project site (Project site) consists of the tennis, basketball, and softball areas on the Campus. The Project site is located in the north end of the Campus and covers approximately 3.2 acres.

Project Location – City:

Los Angeles

Project Location – County:

Los Angeles

Description of Nature, Purpose, and Beneficiaries of Project:

The Project entails the repair, maintenance, and minor alterations of existing structures and facilities within the Project site. Specifically, the athletic field upgrades entail: (1) supplemental site investigation to determine the extent and depth of impacted soil; (2) implementation of a Removal Action Workplan (RAW) and excavation of impacted soil; (3) replacement of the existing softball field, including new decomposed granite infield, bases, turf outfield, irrigation, backstop and home/visitor dugouts; (4) replacement of hard courts, including concrete futsal courts and asphalt basketball and volleyball courts; and (5) installation of new chain link fencing and gates for the tennis courts and softball field.

333 South Beaudry Avenue, 21st Floor, Los Angeles, CA 90017 • Telephone (213) 241-3199 • Fax (213) 241-6816

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

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The Supplemental Site Investigation Report (SSI) prepared for the Project,¹ showed that elevated concentrations of total petroleum hydrocarbons as diesel (TPH-d), arsenic and lead are present in soil at the Project site that require remediation to remove impacted soil from the Project site and ensure the continued health and safety of staff, students, and visitors to the Campus. Arsenic-, lead-, and TPH-d-impacted soil has been identified at 45 discrete locations, representing a total estimated in-situ volume of approximately 3,484 cubic yards which is comprised of 3,409 cubic yards of non-hazardous waste and approximately 75 cubic yards of California Regulated hazardous waste.² While there is no immediate health risk because of the depths at which the impacted soil is found and the soil is located under existing turf and asphalt on the surface of the athletic field, the District would complete the soil removal activities prior to the installation of the new features at the Project site. A portion of soil classified as nonhazardous will remain onsite at depths greater than five feet below ground surface, covered by five feet of clean backfill which will act as a cover and prevent exposure to underlying chemicals of concern (COCs) via direct contact, ingestion, or inhalation, thereby rendering these exposure pathways incomplete.

The RAW identifies best management practices designed to limit potential short-term risks (e.g., the exposure of onsite workers to COCs during soil excavation activities) through the proper use of institutional controls, such as engineering controls, security measures, personal protective equipment (PPE), and adherence to established health and safety procedures, including the application of water spray to suppress fugitive dust emissions during the excavation, the proper handling, transportation and disposal of impacted soil, and enforcing speed limits at the Project site.³ All soil removal activities will follow generally acceptable practices, institutional controls, and State, federal, and local agency guidelines, including, but not limited to, those of the: Department of Toxic Substances Control (DTSC), South Coast Air Quality Management District (SCAQMD), Occupational Safety and Health Administration (OSHA)/National Institute of Occupational Safety and Health (NIOSH), and Regional Water Quality Control Board.

The Project would be implemented per all District Standards and Specifications,⁴ as well as all applicable State, federal, and local regulations. The beneficiaries of the Project include David Starr Jordan High School's students, faculty, staff, families, school supporters, and the community at large who may request access to the upgraded athletic facilities pursuant to the Civic Center Act (CA Ed. Code Sections 38130 - 38139).

¹ LAUSD. 2018. Supplemental Site Investigation Report David Starr Jordan High School. Los Angeles, CA.

² LAUSD. 2018. Supplemental Site Investigation Report David Starr Jordan High School. Los Angeles, CA.

³ LAUSD. 2018. Removal Action Plan David Starr Jordan High School. Los Angeles, CA.

⁴ Including all standard Conditions of Approval incorporated within the School Upgrade Program, Program Environmental Impact Report (PEIR, 2015). Available at: <http://achieve.lausd.net/ceqa>.

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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 15268⁵]:
- 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 15303 - New Construction or Conversion of Small Structures*
 - *CEQA Guidelines Section 15304 - Minor Alterations to Land.*
 - *CEQA Guidelines Section 15330 - Minor Actions to Prevent, Minimize, Stabilize, Mitigate or Eliminate the Release or Threat of Release of Hazardous Waste or Hazardous Substances.*

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 entails the repair, maintenance, and minor alterations of existing structures and facilities within the Project site. Specifically, the athletic field upgrades entail: (1) supplemental site investigation to determine the extent and depth of impacted soil; (2) implementation of a Removal Action Workplan (RAW) and excavation of impacted soil; (3) replacement of the existing softball field, including new decomposed granite infield, bases, turf outfield, irrigation, backstop and home/visitor dugouts; (4) replacement of hard courts, including concrete futsal courts and asphalt basketball and volleyball courts; and (5) installation of new chain link fencing and gates for the tennis courts and softball field.

All of the Project activities will occur within the area occupied by existing facilities at the Project site. The Project will not require the addition or construction of any new or expanded facilities beyond the existing facilities. The Project will not generate growth or require the addition or construction of new or expanded facilities. The Project will not present a new or expanded use of the athletic field or campus. Therefore, the Project fulfills the requirements of CEQA Guidelines Section 15301.

⁵ CEQA Guidelines can be found at California Code of Regulations Title 14, Chapter 3, Section 15000 – Section 15387

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Section 15302 Replacement or Reconstruction

Class 2 consists of replacing or reconstructing 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.

As noted, the Project will involve: the repair, maintenance, and minor alterations of existing structures and facilities within the Project site. Specifically, the athletic field upgrades entail: (1) supplemental site investigation to determine the extent and depth of impacted soil; (2) implementation of a Removal Action Workplan (RAW) and excavation of 3,484 cubic yards of impacted soil; (3) replacement of the existing softball field, including new decomposed granite infield, bases, turf outfield, irrigation, backstop and home/visitor dugouts; (4) replacement of hard courts, including concrete futsal courts and asphalt basketball and volleyball courts; and (5) installation of new chain link fencing and gates for the tennis courts and softball field.

All of the new facilities will be located on the Project site and will have substantially the same purpose and capacity as the facilities that will be replaced. The Project will not require the addition or construction of any new or expanded facilities beyond the replacement of the existing facilities. No expansion of use or new use would result from the Project. Rather, the Project will enable the Project site to fulfill its intended purpose and design as an athletic field which the existing structures and facilities are unable to do in their current deficient condition. Therefore, the Project meets the requirements of CEQA Guidelines Section 15302 Class 2 exemption for the replacement or reconstruction of existing structures and facilities.

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 in the exterior of the structure.

The Project will entail the removal of 3,484 cubic yards of soil impacted by arsenic, lead and TPH-d (i.e., soil excavation and offsite disposal with institutional controls, and improvements to the existing athletic field complex (i.e., futsal, basketball, and softball areas). These conversions constitute minor or limited modifications, construction and improvements within the 3.2-acre Project site located within the Campus. Therefore, the Project meets the requirements of CEQA Guidelines Section 15303 (Class 3).

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 the removal of healthy, mature, scenic trees except for forestry and agricultural purposes.

The Project will include the removal and replacement of the softball field, asphalt basketball and tennis courts, and soil in the Project site. No healthy, mature, or scenic trees are located within the existing Project site and the Project will not entail or require the removal of healthy, mature, or scenic trees. Therefore, the Project meets the requirements of CEQA Guidelines Section 15304 (Class 4).

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Section 15330 - Minor Actions to Prevent, Minimize, Stabilize, Mitigate or Eliminate the Release or Threat of Release of Hazardous Waste or Hazardous Substances.

Class 30 consists of any minor cleanup actions taken to prevent, minimize, stabilize, mitigate, or eliminate the release or threat of release of a hazardous waste or substance which are small or medium removal actions costing \$1 million or less.

The Project will include soil excavation and offsite disposal with institutional controls. As previously noted and as discussed in the RAW, the Project includes: (1) quality assurance and quality control measures to ensure that the Project site is properly constructed and maintained; (2) using clean backfill soil to cover and prevent exposure to nonhazardous COCs proposed to be left onsite at depths greater than 3 feet below ground surface, thus eliminating any exposure pathways for project site occupants or future maintenance workers on the field; (3) implementation of a land-use covenant; (4) placing a geotextile fabric at the bottom of the excavations for future delineation between clean backfill and residual arsenic concentrations; (5) excavating all impacted soil classified as hazardous regardless of depth; (6) ensuring the proper use of PPE, security measures, engineering controls, and adherence to established health and safety procedures, including application of water spray to suppress fugitive dust emissions during the excavation, the proper handling, transportation and disposal of impacted soil, and enforcing speed limits at the Project site; and (7) completing the limited excavation, removal, and offsite disposal of impacted soil at a licensed facility.⁶

Soil excavation would involve the use of conventional excavation equipment, such as backhoes, loaders, and dozers to remove approximately 3,484 cubic yards of soil comprised of 3,409 cubic yards of non-hazardous waste and approximately 75 cubic yards of California Regulated hazardous waste. The excavated soil would be directly loaded to stage trucks or stockpiled on plastic sheeting next to the excavation sites until it could be loaded for offsite disposal. All soils removed from the Project site would be transported to licensed facilities for disposal. In accordance with the RAW, this removal action requires the inspection and maintenance of certain restricted areas into perpetuity to ensure that the clean soil cover continues to function as designed (i.e., the site must be inspected and appropriately addressed as a part of any subsequent ground disturbance at the Project site).⁷ As described in the RAW, all soil removal activities will follow generally acceptable practices, institutional controls, and State, federal and local agency guidelines to ensure the long-term health and safety of individuals accessing the Project site. Additionally, the removal action will be conducted in accordance with protocols of the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) and the National Oil and Hazardous Substances Pollution Contingency Plan (NCP).

Section 15300.2 Exceptions

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

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

The Project will be located on a fully developed Campus that is situated within a highly urbanized community. The Project site has not been designated as a biologically sensitive site or location and does not contain any identified sensitive biological or other sensitive resources.⁸ Therefore, the Project will not have the potential to adversely impact biological or other sensitive resources.

⁶ LAUSD. 2018. Supplemental Site Investigation Report David Starr Jordan High School. Los Angeles, CA.

⁷ Ibid. (Pg. 3-5).

⁸ City of Los Angeles. ZIMAS. Available at: <http://zimas.lacity.org/>. Accessed September 30, 2018.

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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.⁹ The Project is anticipated to begin in the summer of 2019 (approximately June 2019) and would be completed before the start of the school year. While the vacant lot located to the north of the Campus and the Jordan Downs Housing Development are flagged for potential redevelopment projects, it is highly unlikely that they would involve the same type of project – replacing existing athletic field facilities and undertaking minor soil removal actions. Therefore, no cumulative impacts are expected to result from the modifications, upgrades, improvements and soil removal associated with the Project and successive projects.

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

There are no known unusual circumstances associated with the Project. The Project is comparable to other upgrade and improvement programs currently being undertaken as part of the District's School Upgrade Program.¹⁰ The source of the arsenic-impacted soil may be the historic use of arsenical-based herbicides for weed control. Historically, arsenic was widely used as a pesticide and herbicide and was commonly used at industrial sites as a soil sterilizer. The source of the lead-impacted soil is likely from the adjacent industrial metal activities related to the former steel mill north of the site, and the Atlas Metals site east of the Project site. School modernization and improvement projects often involve minor housekeeping activities that are ongoing and considered regular activities within the District (see the Program Environmental Impact Report).¹¹ Replacing the softball field and hard courts and undertaking soil removal and housekeeping activities undertaken within school facilities in accordance with the applicable regulations, ordinances and best management practices to ensure the safety of students, faculty, staff, visitors, the community, and the general public therefore do not involve unusual circumstances.

The Project also will not have a reasonable possibility of resulting in significant effects on the environment because of the way it is designed and would be implemented. Specifically, the activities associated with the Project are consistent with and will implement all of the District's standard practices (i.e., Design Standards and Technical Specifications).¹² For example, privacy fencing will be installed around the proposed work area and access will be controlled and limited to authorized personnel; additionally, the activities described in the RAW will be scheduled during summer to avoid school and pedestrian traffic.

There will be some 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

⁹ 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 September 30, 2018.

¹⁰ LAUSD. 2015. Program EIR for the School Upgrade Program. Available at: <http://achieve.lausd.net/Page/2799>.

¹¹ Ibid. LAUSD's PEIR (see the Chapter 5. Environmental Analysis, Hazards and Hazardous Materials) discusses potential hazards that might be associated with projects under the School Upgrade Program including potential hazardous materials and chemicals and outlines standard procedures (e.g., Standard Conditional of Approval) for addressing any potential impacts.

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to provide oversight to ensure that these activities are conducted in compliance with the requirements of District Specification 01 4524,¹³ 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-19¹⁴ 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.¹⁵ 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 is State Route 2 (SR2), which is located more than 18 miles north of the Campus.¹⁶ 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 site is not included on any list compiled pursuant to Section 65962.5 of the Government Code.¹⁷ Therefore, the Project would 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.*

The Campus consists of buildings and elements constructed as early as 1925 through the 1980s.¹⁸ Four buildings and elements including the: (1) Administration Building; (2) West Annex (Domestic Science Building); (3) Loggia; and (4) Auditorium were previously identified as contributors to a National Register eligible district (a 2S2 CHRSC or California Historical Resource Status Code designation for an individual property determined to be eligible for the National Register of Historic Places).¹⁹ The Project will not include any of these structures. The Project will have no impact on the four campus buildings and elements identified as contributors to an eligible historic district. As such, the Project will not cause a substantial adverse change in the significance of a historic resource.

¹³ http://www.laschools.org/documents/file?file_id=219798234&show_all_versions_p=t

¹⁴ LAUSD OEHS, "School Upgrade Program Final Environmental Impact Report," <http://achieve.lausd.net/ceqa>, Adopted by the Board of Education on November 10, 2015.

¹⁵ *Ibid.*

¹⁶ 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 September 30, 2018.

¹⁷ California Department of Toxic Substances Control. DTSC Databases. Available at: <http://www.dtsc.ca.gov/database/index.cfm>. Accessed September 30, 2018.

¹⁸ LAUSD. 2011. Historical Assessment David Starr Jordan High School. Los Angeles, CA.

¹⁹ *Ibid.*

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Signed by:



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Date:

2/5/2019
