

Los Angeles Unified School District

Office of Environmental Health and Safety

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NOTICE OF EXEMPTION

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ORIGINAL FILED

MAY 04 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:

Garvanza Elementary School and Luther Burbank Middle School Seismic Retrofit and Elevator Construction Projects

Project Location – Specific:

Garvanza Elementary School (ES) and Luther Burbank Middle School (MS) (Campuses) are located adjacent to each other at respective addresses 317 North Avenue 62 and 6460 North Figueroa Street, Los Angeles, California 90042. Luther Burbank MS is located on an 11.8 acre campus and Garvanza ES is located on a 2.7 acre campus. The Campuses are bound by Meridian Street to the north, Avenue 62 to the southeast, Garvanza Park to the east (beyond which is North Avenue 63), and North Figueroa Street to the west. Specifically, the Project will occur in the Main Building at Garvanza ES and in the Home Economics, Administrative, and Classroom Buildings at Luther Burbank MS.

The Campuses are situated within a seismically active area, within the Alquist Priolo Special Study Zone and are approximately 168 feet from the Raymond Fault.¹

Project Location – City:

Los Angeles

Project Location – County:

Los Angeles

Description of Nature, Purpose, and Beneficiaries of Project:

The scope of the Garvanza ES and Luther Burbank MS Seismic Retrofit and Elevator Construction Projects (collectively referred to as the "Project") includes voluntary seismic upgrade of the buildings' structural systems to strengthen its seismic resistance, construction of new exterior elevators, and Americans with Disabilities Act (ADA)² compliance improvements. The ADA compliance improvements are legal requirements mandated by the Division of State Architect (DSA) and include ADA path of travel upgrades.

¹ City of Los Angeles, Department of City Planning. ZIMAS. Available at: <http://zimas.lacity.org>. Accessed March 2018.

² 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

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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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No 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 design drawings and those Standard Conditions provided in LAUSD's Program Environmental Impact Report for the School Upgrade Program (Program EIR).³ The beneficiaries of the Project include Garvanza ES and Luther Burbank MS students, faculty, staff, families, school supporters, and the community at large who may request access to the Campuses 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 15268⁴]:
- 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 15311 – Accessory Structures*

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 entails completing seismic upgrades, constructing new exterior elevators, and implementing ADA compliance improvements at the existing Campuses. These improvements constitute minor alterations to existing public facilities. The Project will not result in the physical expansion of school facilities and will not increase the intensity of use, nor will it increase 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.

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

⁴ CEQA Guidelines can be found at California Code of Regulations Title 14, Chapter 3, Section 15000 – Section 15387.

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The seismic upgrades and ADA compliance improvements include upgrades to existing structures and facilities with no change in purpose of use and negligible or no expansion of capacity. Therefore, the Project satisfies the requirements of CEQA Guidelines Section 15302.

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 construction of the new elevators at the existing Campuses constitutes new construction of small equipment and facilities. Therefore, the Project satisfies the requirements of CEQA Guidelines Section 15303.

Section 15311 Accessory Structures elevator

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 ADA compliance improvements (which includes ADA path of travel upgrades) and the construction of the new elevators constitute placement of minor structures accessory to existing institutional facilities. Therefore, the Project satisfies the requirements of CEQA Guidelines Section 15311.

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 fully developed, existing school sites within a highly urbanized community.⁵ The Project is not located in a Significant Ecological Area (SEA). The nearest SEA is the Griffith Park SEA, located approximately 5.2 miles west.⁶ The Campuses have not been designated as biologically sensitive locations. The nearest Federal Critical habitat is for the Coastal California gnatcatcher, located approximately 7.8 miles southeast of the Campuses.⁷ There is no suitable habitat for this species located within or immediately adjacent to the Campuses. No impacts to the listed species or their habitat is expected to occur as a result of this Project.

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

As active school sites, the Campuses are subject to routine maintenance and operational activities. There are no known projects of the same type and magnitude that would occur on the Campuses at this time. Therefore, no cumulative impacts would occur as a result of the Project.

⁵ City of Los Angeles, Department of City Planning. *Zoning and Information Management System*, <http://zimas.lacity.org>. Accessed March 2018.

⁶ Los Angeles County Department of Regional Planning, http://gis.planning.lacounty.gov/GIS-NET3_Public/Viewer.html. Accessed March 2018.

⁷ United States Fish and Wildlife Service Critical Habitat Portal, <https://ecos.fws.gov/ecp/report/table/critical-habitat.html> accessed March 2018.

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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; however, there will be 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. As the Project involves the removal of pavement, soil sampling and testing for characterization is required prior to demolition and removal of the paving materials. 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 Office of Environmental Health & Safety (OEHS) must be notified to 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.⁸ Furthermore, as set forth in standard conditions of approval SC-CUL-13, SC-CUL-15, SC-CUL-18, and SC-CUL-19 of the Program EIR, 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.⁹ Lastly, any construction and demolition waste shall be recycled to the maximum extent feasible per standard condition of approval SC-USS-1 of the Program EIR.¹⁰ Therefore, the Project would not have a significant effect on the environment due to unusual circumstances.

If the Project scope changes to include the removal of trees, 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 Environmental Impact Report for the School Upgrade Program (Program EIR).¹¹

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 State Route 2. The Campuses are located more than 7 miles south of State Route 2,¹² which is a sufficient distance from this resource to be outside of the view shed. As such, the Project 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 Campuses are not included on any list compiled pursuant to Section 65962.5 of the Government Code.¹³ Therefore, the Project will not be expected to result in impacts related to being located on a hazardous waste site.

⁸ LAUSD OEHS, "Section 01 4524 Environmental Import/Export Materials Testing", http://www.laschools.org/documents/file?file_id=219798234&show_all_versions_p=t

⁹ LAUSD OEHS, "School Upgrade Program Final Environmental Impact Report," <http://achieve.lausd.net/ceqa>, Adopted by the Board of Education on November 10, 2015.

¹⁰ *Ibid.*

¹¹ *Ibid.*

¹² Los Angeles County Department of Regional Planning, http://gis.planning.lacounty.gov/GIS-NET3_Public/Viewer.html. Accessed March 2018.

¹³ California, State of, *Department of Toxic Substances Control, Envirostor Database*, <http://www.envirostor.dtsc.ca.gov/public/search.asp>, Accessed March 2018.

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

Originally constructed in 1922, Garvanza ES Main Building meets the age criteria for evaluation as a historic resource pursuant to CEQA. The campus was evaluated as part of a historic resources survey conducted in 2002¹⁴ and was assigned a California Historical Resource Status Code of 2S2, which indicates that the property was found eligible for the National Register of Historic Places by a consensus through the Section 106 process and is listed in the California Register of Historical Resources.

A *Secretary's Standards* conformance review for Garvanza ES was completed by the Design Contractor's Historic Architect¹⁵ to ensure compliance with applicable guidelines (the *Secretary's Standards* and *Los Angeles Unified School District Design Guidelines and Treatment Approaches for Historic Schools*). The result of this analysis indicates that the Project conforms to the *Secretary's Standards*.¹⁶ This determination confirms that the Project satisfies the requirements specified in CEQA Guidelines Section 15064.5(b) (3), is not expected to materially impair the significance of the historical resource and as a result, will not result in an impact to the environment.

Luther Burbank MS, originally constructed in 1927, also meets the age criteria for evaluation as a historic resource and was evaluated as part of the same 2002 survey.¹⁷ The campus was assigned a California Historical Resource Status code of 5S3, which indicates the property was found individually eligible for the National Register of Historic Resources through survey evaluation.

A *Secretary's Standards* conformance review for Burbank MS was completed by OEHS' Historic Preservation Specialist¹⁸ to ensure compliance with applicable guidelines (the *Secretary's Standards* and *Los Angeles Unified School District Design Guidelines and Treatment Approaches for Historic Schools*). The result of this analysis indicates that the Project conforms to the *Secretary's Standards*. This determination confirms that the Project satisfies the requirements specified in CEQA Guidelines Section 15064.5(b)(3), that the Project is not expected to materially impair the significance of the historical resource and as a result, will not result in an impact to the environment.

In accordance with CEQA Guidelines Section 15064.5(b)(3), a project that has been determined to conform 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)* 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.

¹⁴ Los Angeles Unified School District, *Final Memo, Historic Schools in LAUSD*, by Leslie Heumann and Associates, July 14, 2004.

¹⁵ Historic Resources Group (HRG), *Secretary of the Interior Standards Review for the Garvanza Elementary School Main Building Seismic Retrofit Project*. December 5, 2017.

¹⁶ *Ibid.*

¹⁷ *Ibid.*

¹⁸ Los Angeles Unified School District, "Secretary of the Interior's Standards for Rehabilitation Review, Luther Burbank Middle School Home Economics Building Seismic Retrofit Project," April 23, 2018.

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If the scope of the Project is altered from the improvements that are described above, standard District procedure requires that OEHS must be notified immediately to ensure that these activities are conducted in compliance with *Secretary Standards* to ensure that the proposed activities would not cause a substantial adverse change in the significance of a historical resource.

Prepared By:

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Signed by:



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