

Los Angeles Unified School District

Office of Environmental Health and Safety

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Superintendent of Schools

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NOTICE OF EXEMPTION

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MAY 06 2020

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:
Soto Street Elementary School Campus-wide HVAC Upgrade Project

Project Location – Specific:
The Soto Street Elementary School Campus-wide HVAC Upgrade Project (Project) will occur on the 4.42-acre Soto Street Elementary School Campus (Campus). The Campus is located at 1020 S. Soto Street in the City of Los Angeles. The Campus is bound by E. 7th Street (north), S. Fickett Street (east), a freeway off-ramp (south) and S. Soto Street (west). The Campus includes the Soto Street Early Education Center and which is located immediately adjacent to the main Campus at 2616 E. 7th Street (at the southeastern intersection of E. 7th Street and S. Fickett Street). The Campus is north of the Interstate 5 (I-5) freeway, south of Salesian High School, and west of the East LA Conservation Corps. The Campus is situated in an urban area and is surrounded by multi-family homes and commercial land uses.

Project Location – City: Los Angeles
Project Location – County: Los Angeles

Description of Nature, Purpose, and Beneficiaries of Project:
The Project will replace the existing heating, ventilation, and air conditioning (HVAC) system throughout the main Campus. The Project will entail the replacement of existing HVAC systems in the Main Building and in four portable buildings (AA-2681, A-1561, AA-2969, and in the DSA Building). The Main Building is the only permanent building on the Campus. Project activities in the Main Building will entail the removal and replacement of HVAC components throughout both floors, every room, and the basement, as well as removal and replacement of the existing suspended ceiling on the first and second floor corridors. The scope of work also includes minor trenching and excavations (approximately 3 feet deep and 10 feet long). 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.

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

*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 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 (SCs) as adopted by the Board of Education in February 2019.¹ LAUSD's SCs, design guidelines, and best management practices are developed to be incorporated into the Project design in order to avoid or limit potential adverse impacts associated with the District's construction improvement projects.

The beneficiaries of this Project are the Soto Street Elementary School (Soto Street ES) 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 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 Project will entail site improvements relating only to the removal and replacement of existing HVAC systems at an existing Campus. The Project is designed to support the services provided by the existing Campus and is not designed to increase student enrollment or result in the growth of enrollment or capacity of the student population or Campus. The Project will be constructed completely within the boundaries of the existing Campus and will not require, or result in, the expansion of use beyond the Campus. The remaining Campus will not be adversely impacted or altered as a result of the Project. Therefore, the Project satisfies the requirements of CEQA Guidelines Section 15301.

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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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 numbers of structures described in this section are the maximum allowable on any legal parcel.

The Project will entail the removal and replacement of existing HVAC systems throughout five buildings on the Campus. The HVAC components are limited in size and scope. Replacement of these systems will include minor activities and will not present a new or expanded use of the Campus. Therefore, the Project fulfills the requirements of CEQA Guidelines Section 15303.

Section 15311 – Accessory Structures

Class 11 consists of construction or placement of minor structures accessory to (appurtenant to) existing commercial, industrial, or institutional facilities.

As previously noted, the Project will remove and replace existing HVAC systems throughout the Campus. The exterior cooling tower at the Main Building will also be replaced on the existing Campus. As such, the Project will place a minor structure accessory to an existing institutional facility. Therefore, the Project fulfills 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 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 replacement of existing HVAC systems on an existing school campus. The Campus is not on or within the immediate proximity of any sensitive environment. The nearest significant ecological area (SEA) is designated as critical habitat for the coastal California gnatcatcher and is located approximately 6.5 miles east of the Project site.⁴ These Project 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. While the Project will occur throughout the Campus, the scope of the

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

⁴ United States Fish and Wildlife Service Critical Habitat Portal, <https://ecos.fws.gov/ecp/report/table/critical-habitat.html>. Accessed January 2020.

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 November 2019.



HVAC system update activities are limited in the duration and location where the work will occur. 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 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, 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 prior to removal. 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 of Approval (SC) SC-BIO-3 of the Program EIR.^{6,7}

There are no known unusual circumstances that would have a significant effect on the environment. The Project may include minor ground-disturbance 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 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 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 SC-CUL-6, SC-CUL-7, SC-CUL-9, SC-CUL-10, and SC-CUL-11 of the Standard Conditions of Approval for District Construction, Upgrade, and Improvements Projects as adopted by the Board of Education in February 2019,⁹ 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.¹⁰ Lastly, any construction and demolition waste shall be recycled to the maximum extent feasible per SC-USS-1.¹¹ 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 officially designated scenic highway is State Route 2 (SR 2), which is located approximately 13 miles north of the Campus.¹² The Campus is not visible from SR 2 and as such, the Project does not involve alterations

⁶ LAUSD OEHS, "Standard Conditions of Approval for District Construction, Upgrade, and Improvements Projects," Adopted by the Board of Education on February 5, 2019.
⁷ LAUSD OEHS, "Tree Trimming and Removal Procedure". Available at: <http://achieve.lausd.net/ceqa>.
⁸ LAUSD OEHS, "Section 01 4524 Environmental Import/Export Materials Testing", http://www.laschools.org/documents/file?file_id=219798234&show_all_versions_p=1
⁹ LAUSD OEHS, "Standard Conditions of Approval for District Construction, Upgrade, and Improvements Projects," Adopted by the Board of Education on February 5, 2019.
¹⁰ *Ibid.*
¹¹ *Ibid.*
¹² 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 January 2020.

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to the Campus that will 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.¹³ 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.*

Soto Street ES was opened in 1914.^{14,15} The Main Building was constructed in 1937 and is listed in both the National Register of Historic Places (NRHP) and California Register of Historic Resources (CRHR; California Register Status Code 2S2).¹⁶ Portions of the HVAC replacement will occur in the Main Building, however the Project will be designed to replace existing alterations, protecting the building's character-defining features in compliance with the Secretary of the Interior's (SOI) Standards and District requirements and guidelines for the treatment of historic resources. Additionally, the District's Historic Preservation Specialist will review all drawings and coordinate with the design team to ensure ongoing compliance with the applicable SOI Standards.

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* or the *SOI Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings* 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)). The Project will conform with the SOI Standards and does not entail components that will adversely impact the historic significance of the Campus. As such, the Project does not have the potential to cause a substantial adverse change to a historic resource.

Prepared By:

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Signed by:



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Date:

3/2/2020

¹³ California Department of Toxic Substances Control. DTSC Databases. Available at: <http://www.dtsc.ca.gov/database/index.cfm>. Accessed January 2020.

¹⁴ LAUSD. Updated 2019. Historic Resources Inventory. Los Angeles, CA.

¹⁵ LAUSD. Facilities Services Division, Facilities Initiatives. Available at: <https://mo.laschools.org/fsd-site-portal/>. Accessed January 2020.

¹⁶ LAUSD. Updated 2019. Historic Resources Inventory. Los Angeles, CA.