

# Los Angeles Unified School District

## Office of Environmental Health and Safety

ALBERTO M. CARVALHO  
Superintendent of Schools

CARLOS A. TORRES  
Director, Environmental Health and Safety

### NOTICE OF EXEMPTION

JENNIFER FLORES  
Deputy Director, Environmental Health and Safety

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LOS ANGELES, COUNTY CLERK  
MAY 25 2022  
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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  
21<sup>st</sup> Floor  
Los Angeles, CA 90017

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**Project Title:**

75<sup>th</sup> Street Early Education Center Nature Explore Outdoor Classroom and Campus Upgrade

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**Project Location – Specific:**

The 75th Street Early Education Center Nature Explore Outdoor Classroom and Campus Upgrade (Project) will be located on the .51 acre 75th Street Early Education Center (75<sup>th</sup> St EEC) Campus. The 75th St EEC Campus (Campus) is located at 242 W 75th St, in the City of Los Angeles. The Project will occur throughout the Campus.

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**Project Location – City:**

Los Angeles

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**Project Location – County:**

Los Angeles

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**Description of Nature, Purpose, and Beneficiaries of Project:**

This Project provides a new Nature Explore Program outdoor classroom to the Campus by dividing the existing playground into distinct activity areas, covering approximately 12,600 square foot (sqft). Americans with Disabilities Act (ADA) accessibility upgrades will be incorporated into this Project and include: (a) resurfacing the parking area - approximately 592 sqft - to provide an ADA compliant path of travel and (b) providing an ADA compliant restroom. Additionally, deteriorated heating, ventilation, and air conditioning (HVAC) units will be replaced and necessary upgrades to the fire alarm system, will be completed.

The Project will be implemented pursuant to all applicable State, federal, and local regulations and all applicable Los Angeles Unified School District (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 (SC) as adopted by the Board of Education in February 2019.<sup>1</sup> LAUSD's SCs, design guidelines, and best management practices are designed to be incorporated into the Project design in order to avoid or limit potential adverse impacts associated with the District's projects.

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<sup>1</sup> LAUSD OEHS, "Standard Conditions of Approval for District Construction, Upgrade, and Improvements Projects," Adopted by the Board of Education on February 5, 2019.

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The beneficiaries of the Project include 75th St EEC students, faculty, staff, families, school supporters, and the community at large who may request access to the Campus pursuant to the Civic Center Act (CA Ed. Code Sections 38130 - 38139).

Should the Project be altered from the improvements that are described above, LAUSD's Office of Environmental Health & Safety (OEHS) must be notified immediately to ensure that these activities are conducted in compliance with the required standards.

**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 15268<sup>2</sup>]:
- 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.

This Project provides outdoor classroom areas, ADA accessibility upgrades throughout the Campus, and a new HVAC system in the Main, Assembly, Classroom, and Kindergarten Buildings, and six portable buildings. Neither the new outdoor classroom areas or the replacement of the HVAC systems will present a new or expanded use of the Campus. Therefore, the Project fulfills the requirements of CEQA Guidelines Section 15301.

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 previously noted, this Project provides outdoor classroom areas, ADA accessibility upgrades throughout the Campus, and a new HVAC system in the Main, Assembly, Classroom, and Kindergarten Buildings, and six portable buildings. The Project will not result in an increase or alteration of the current use, function, or capacity of the existing Campus. Therefore, the Project fulfills the requirements of CEQA Guidelines Section 15302.

<sup>2</sup> 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 the Project indicates that it will not violate any of the exceptions, as described in the following section.

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

The Project will occur on an existing campus that is located within an urban setting.<sup>3</sup> The surrounding uses are residential and commercial. The Campus has not been designated as a biologically sensitive site or location and does not contain sensitive resources or habitat that will be impacted by the Project. The nearest significant ecological area (SEA) is Ballona Wetlands which is located approximately 8.6 miles west of the Campus.<sup>4</sup> The nearest critical habitat is designated as such for the Western snowy plover and is located approximately 6.2 miles southwest of the site.<sup>5</sup> As such, the Project will not impact sensitive environments or locations.

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 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 will not result in potentially significant impacts. Therefore, no cumulative impacts will result from the Project and successive projects of the same type and 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.<sup>6</sup> 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 will be about 300 cubic yards of soil exported, as a result of this Project. Consideration must be given to the management of excavated soils and/or to the earthwork activities involving more than 50 cubic yards of soil for the Project. If construction or earthmoving activities require import or export of soils and materials, OEHS must be notified to provide oversight to ensure that the import and/or export of soils are conducted in compliance with the requirements of District Specification Section 01 4524.<sup>7</sup> Since earthwork activities involve the

<sup>3</sup> City of Los Angeles. ZIMAS. Available at: <http://zimas.lacity.org/>. Accessed January 2022.

<sup>4</sup> Los Angeles County Department of Regional Planning, [http://gis.planning.lacounty.gov/GIS-NET3\\_Public/Viewer.html](http://gis.planning.lacounty.gov/GIS-NET3_Public/Viewer.html), accessed January 2022.

<sup>5</sup> United States Fish and Wildlife Service Critical Habitat Portal, <https://ecos.fws.gov/ecp/report/table/critical-habitat.html> accessed January 2022.

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

<sup>7</sup> [http://www.laschools.org/documents/file?file\\_id=219798234&show\\_all\\_versions\\_p=t](http://www.laschools.org/documents/file?file_id=219798234&show_all_versions_p=t)

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disturbance or more than 50 cubic yards, OEHS directed the completion of sampling and analysis of underlying soils which provides guidance to ensure compliance with South Coast Air Quality Management District (SCAQMD) Rule 1466. Any variances for compliance with Specification Section 01 4524 and SCAQMD Rule 1466 must be approved by OEHS.

Furthermore, as set forth in LAUSD's SC-CUL-7, SC-CUL-9, SC-CUL-10, and SC-CUL-11<sup>8</sup> 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.<sup>9</sup> 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 Project site is located approximately 13 miles east of State Route 27 (SR 27), the nearest officially designated State scenic highway.<sup>10</sup> The Project will not be visible from SR 27. Therefore, the Project will not result in damage to scenic resources or similar resources within a highway that is officially designated as a 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 which is not included on any list compiled pursuant to Section 65962.5 of the Government Code.<sup>11</sup> Therefore, the Project will not have an impact 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 Children's Unit Building located on the 75th St EEC Campus was constructed in 1961 and meets the 45-year age threshold for consideration a historical resource. LAUSD's Historic Resource Specialist has identified the Children's Unit Building as not eligible for listing as a historic resource on the National Register of Historic Places or the California Register of Historical Resources.<sup>12</sup> Therefore, the Project will not cause a substantial adverse change in the significance of a historic resource.

<sup>8</sup> LAUSD OEHS, "Standard Conditions of Approval for District Construction, Upgrade, and Improvements Projects," Adopted by the Board of Education on February 5, 2019.

<sup>9</sup> *Ibid.*

<sup>10</sup> Los Angeles County Department of Regional Planning, [http://gis.planning.lacounty.gov/GIS-NET3\\_Public/Viewer.html](http://gis.planning.lacounty.gov/GIS-NET3_Public/Viewer.html). Accessed January 2022.

<sup>11</sup> California Department of Toxic Substances Control. DTSC Databases. Available at: <http://www.dtsc.ca.gov/database/>. Accessed January 2022.

<sup>12</sup> LAUSD OEHS. 2021. LAUSD Historic Resource Inventory Database.

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Prepared By:

Alex Campbell  
CEQA Project Manager

Phone and Email:

(323) 286-7377  
cp-alexis.campbell@LAUSD.net

Signed by:



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Carlos A. Torres  
CEQA Officer of the Los Angeles Unified School District

Date:

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4/27/22