

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

JENNIFER FLORES
Deputy Director, Environmental Health and Safety

NOTICE OF EXEMPTION

THIS NOTICE WAS POSTED

ON November 26 2024

UNTIL December 26 2024

REGISTRAR – RECORDER/COUNTY CLERK

2024 242401

FILED
Nov 26 2024

Dean C. Logan, Registrar – Recorder/County Clerk

Electronically signed by VALERIE VALADEZ

To:
County Clerk and Registrar-Recorder
County of Los Angeles
12400 Imperial Highway
Norwalk, CA 90650

From:
LA UNIFIED OEHS
333 S. Beaudry Avenue
21st Floor
Los Angeles, CA 90017

Project Title:

Middleton Street Elementary School Campus Greening Project

Project Location – Specific:

The Middleton Street Elementary School Campus Greening Project (Project) will occur across the 5.17 -acre Middleton Street Elementary School campus (Middleton ES or Campus). The Campus is located at 6537 Malabar Street in the City of Huntington Park. It is bound by East Gage Avenue to the north, Malabar Street to the east, Zoe Avenue to the south, and Middleton Street to the west. The Campus is located in an urbanized community primarily consisting of commercial uses, multi-family, and single-family residences.

Project Location – City:

Huntington Park

Project Location – County:

Los Angeles

Description of Nature, Purpose, and Beneficiaries of Project:

The Project will remove approximately 40,000 square feet of asphalt to create new greening areas at Middleton ES. The new greening areas will consist of native planting, outdoor classrooms, gathering spaces, and nature-based play structures. All new gathering and play areas will have permeable surfaces and consist of wood-based play features and seating. The Project will also plant approximately 60 trees throughout the playground to provide shade, install new irrigation for all planting areas and tree wells, and apply approximately 40,000 square feet of solar reflective paint to existing asphalt to help cool the playground area (Figure 1). The community partner proposing the Project, TreePeople, was awarded a grant in the amount of \$2,969,192 provided by the State of California Natural Resources Agency. The grant will fund the entire Project's cost.

The Project will be implemented pursuant to all applicable State, federal, and local regulations, and all applicable Los

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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.

Angeles Unified School District (LA Unified or District) 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 December 2023.¹ LA Unified'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.

The beneficiaries of this Project are the Middleton ES students, faculty, staff, families, school supporters, and the community at large who may request access to the facilities and grounds of the Campus 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 15304 – Minor Alterations to Land*
- ☐ 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 remove approximately 40,000 square feet of asphalt to create new greening areas. The new greening areas will consist of native planting, outdoor classrooms, gathering spaces, and nature-based play structures. All new gathering and play areas will have permeable surfaces and consist of wood-based play features and seating. The Project will also plant approximately 60 trees throughout the playground to provide shade, install new irrigation for all planting areas and tree wells, and apply approximately 40,000 square feet of solar reflective paint to existing asphalt to help cool the playground area. The Project would constitute operation, repair, maintenance, and minor alteration of existing public structures involving no expansion of the facilities' use. Therefore, the Project constitutes minor alterations to an existing school site that result in no expansion of use and meets 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 December 12, 2023.

² CEQA Guidelines can be found at California Code of Regulations Title 14, Chapter 3, Section 15000 - Section 15387.

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 to the structure.

The installation of new greening areas are within an existing outdoor area on Campus and would constitute operation, repair, maintenance and minor alteration of an existing campus involving no expansion in enrollment or of the facilities' use. Therefore, the Project satisfies the requirements of CEQA Guidelines Section 15303.

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

The Project will remove approximately 40,000 square feet of asphalt to create new greening areas. The new greening areas will consist of native planting, outdoor classrooms, gathering spaces, and nature-based play structures. The Project will also plant approximately 60 trees throughout the playground to provide shade, install new irrigation for all planting areas and tree wells, and apply approximately 40,000 square feet of solar reflective paint to existing asphalt to help cool the playground area. The Project will not remove healthy, mature, or scenic trees. Therefore, the Project fulfills the requirements of CEQA Guidelines Section 15304.

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 they would not violate any of the exceptions, as described below.

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

The Project site is a fully developed campus within urbanized communities. The Project site is not designated as a biologically sensitive site or location and does not contain sensitive resources or habitat that will be impacted by the Project. The Project will be contained exclusively within the boundaries of the Campus. The nearest Significant Ecological Area is Puente Hills located approximately 8 miles east of Middleton ES.^{3,4} As such, the Project will not impact sensitive environments or locations.

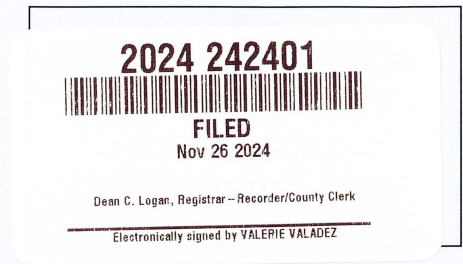
2. *Cumulative impacts would be considerable because successive projects of the same type would occur at the same place over time;*

The Campus is an active school site and there will likely be ongoing maintenance activities and minor projects on the Campus to keep the schools operational. As the Project will not result in any lasting adverse impacts once construction of the Project is complete, the Project would not contribute to cumulative impacts when considered with expected successive projects.

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

³ United States Fish and Wildlife Service Critical Habitat Portal, <https://ecos.fws.gov/ecp/report/table/critical-habitat.html> accessed October 2024.

⁴ Los Angeles County Department of Regional Planning, http://gis.planning.lacounty.gov/GIS-NET3_Public/Viewer.html, accessed October 2024.



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, LA Unified'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 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 Subsequent Program Environmental Impact Report (SPEIR).^{5,6}

The Project will include 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, sampling and testing for waste characterization is required prior to demolition and removal of the paving materials. If the construction or earthmoving activities are expected to cause soil disturbance or require import or export of soils and materials, 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.⁷ Furthermore, as set forth in SC-CUL-6, SC-CUL-7, SC-CUL-9, SC-CUL-10, and SC-GEO-2 of the SPEIR, 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.⁸ Lastly, any construction and demolition waste shall be recycled to the maximum extent feasible per SC-USS-1 of the SPEIR.⁹ 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 state scenic highway;*

The closest designated state scenic highway to the Project site is State Route 2 (SR 2), which is located approximately 17 miles north of Middleton ES.¹⁰ The Project will not be visible from SR 2. 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 is not located on a site included on any list compiled pursuant to Section 65962.5 of the Government Code.¹¹ Therefore, the Project will 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 historical resource.*

⁵ LAUSD OEHS, "Standard Conditions of Approval for District Construction, Upgrade, and Improvements Projects," Adopted by the Board of Education on December 12, 2023

⁶ LAUSD OEHS, "Tree Trimming and Removal Procedure", <http://achieve.lausd.net/ceqa>.

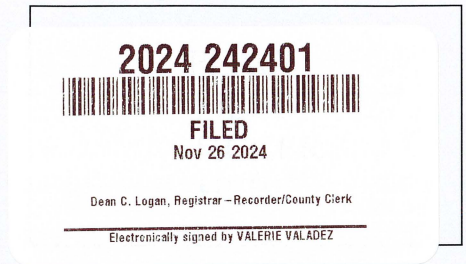
⁷ LAUSD OEHS, "Section 01 4524 Environmental Import/Export Materials Testing", http://www.laschools.org/documents/file?file_id=219798234&show_all_versions_p=t

⁸ LAUSD OEHS, "School Upgrade Program Final Environmental Impact Report," <http://achieve.lausd.net/ceqa>, Adopted by the Board of Education on November 10, 2015.

⁹ *Ibid.*

¹⁰ Los Angeles County Department of Regional Planning, http://gis.planning.lacounty.gov/GIS-NET3_Public/Viewer.html, accessed October 2024.

¹¹ http://www.dtsc.ca.gov/SiteCleanup/Cortese_List.cfm, accessed October 2024.



Middleton ES is over 45 years old, meeting LA Unified's threshold for review as a potential historic resource and requiring evaluation for historic eligibility. LA Unified's Historic Preservation Specialist has identified Middleton ES as not eligible for federal, State, or local listing under any of the applicable criteria and is therefore not considered a historical resource pursuant to CEQA. Therefore, the Project will not cause substantial adverse change in the significance of a historic resource.

Prepared By:

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Signed by:

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

Date:

Figure 1. Site Plan

