

2018038266

NOTICE OF EXEMPTION

To: County Clerk, Harnell Harper
County of Orange
12 Civic Center Plaza, Room 101
Santa Ana, CA 92701

From: Orange Unified School District
1401 North Handy Street
Orange, CA 92867

Office of Planning and Research
P.O. Box 3044, Room 212
Sacramento, CA 95812-3044

Project Title:
El Modena High School Modernization Project

Project Location - Specific:
3920 Spring Street, Orange, California
Project Location - City: Orange

Project Location - County: Orange

Description of Nature, Purpose and Beneficiaries of Project:
The proposed project is the modernization of El Modena High School. The proposed project consists of the development of a state-of-the-art Science Center and multipurpose classrooms; the enhancement and completion of the student quad; updating utilities to support the new Science Center; renovation of existing classrooms; and construction of a new administration building. The project improvements would benefit the students, staff and visitors of El Modena High School and improve operation of the school program. Construction is expected to be in February 2019 and conclude in April 2021.

Name of Public Agency Approving Project:
Orange Unified School District

Name of Person or Agency Carrying Out Project:
Orange Unified School District

- Exempt Status:**
- Ministerial (Sec. 21080(b)(1); 15268)
 - Declared Emergency (Sec. 21080(b)(3); 15269(a))
 - Emergency Project (Sec. 21080(b)(4); 15269(b)(c))
 - Categorical Exemption: State type and section number: CEQA Guidelines Section 15314
 - Statutory Exemption: (PRC §21080.23, CEQA Guidelines Section 15284)

Reasons why project is exempt:
See the Attachment for a discussion on why the project is exempt from CEQA.

Lead Agency Contact Person: Ron Lebs	Telephone: 714-628-4000
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- If filed by applicant:**
1. Attached certified document of exemption findings
 2. Has NOE been filed by the public agency approving the project? Yes No

Agency Representative Signature:  Date: 3-8-18 Title: Assistant Superintendent

- Signed by Lead Agency
- Signed by Applicant

Governor's Office of Planning & Research

Date Received for Filing at OPR: MAR 12 2018

STATE CLEARINGHOUSE

STATEMENT OF REASONING FOR EL MODENA CEQA EXEMPTION DESCRIPTION

CATEGORICAL EXEMPTION**EL MODENA HIGH SCHOOL MODERNIZATION PROJECT**

This document assesses the use of categorical exemptions in the California Environmental Quality Act (CEQA) for the proposed El Modena High School modernization project under California Public Resources Code Section 21084 and CEQA Guidelines Sections 15200 and 15314 (California Code of Regulations Title 14 Sections 15000 et seq.)

1.0 PROJECT BACKGROUND INFORMATION

The Orange Unified School District (OUSD or District) is proposing improvements to El Modena High School, located in Orange, California (the proposed project). El Modena High School opened in 1966 and the District has determined that portions of El Modena High School are in need of modernization. The proposed project consists of the following improvements: the development of a state-of-the-art Science Center and multipurpose classrooms; the enhancement and completion of the student quad; updating utilities to support the new Science Center; renovation of existing classrooms; and, construction of a new administration building.

1.1 PROJECT LOCATION AND ZONING

The proposed project site is located at 3920 Spring Street, City of Orange. The campus consists of 42.3 acres in size, and is located north of East Chapman Avenue, south of East Spring Street and west of South Esplanade Street. Regional access to the site is provided by California State Route 55 (SR-55), approximately three-quarters of a mile west of the site, and Chapman Avenue, immediately south of the high school.

1.2 EXISTING FACILITIES

El Modena High School was built in 1965-1966 and consists of 36 acres. The campus contains multiple single and two-story buildings and portable classrooms as well as tennis courts, a basketball court, athletic fields, stadium, gymnasium, pool, a sports field, library, administration building, one and two-story classroom buildings, portable classrooms, outdoor amphitheater, multiple parking lots, and a nature center. Parking is provided in several parking lots: (1) a parking lot along the northern portion of the high school, adjacent to Spring Street; and (2) a parking lot at the corner of Spring Street and Esplanade Street.

El Modena High School is zoned as R-1-7, single family residential and is located in a suburban area of the City of Orange that has been almost entirely developed. Surrounding land uses include single family residential, planned housing, multiple-family residential, and commercial zoning designations.

1.3 SCHOOL ENROLLMENT AND CAPACITY

El Modena High School serves grades 9 through 12 and currently has an enrollment of 2,134 students. Table 1 shows student enrollment at El Modena High School over the last 10 years averaged approximately 2,145 students per year.

TABLE 1

El Modena High School Enrollment History

SCHOOL YEAR	ENROLLMENT
2017-2018	2,134
2016-2017	2,092
2015-2016	2,086
2014-2015	2,196
2013-2014	2,089
2012-2013	2,096
2011-2012	2,207
2010-2011	2,176
2009-2010	2,181
2008-2009	2,195
10-Year Average Enrollment	2,145

Source: CDE, 2017 for all years, except 2017-2018. OUSD provided the 2017-2018 enrollment figures.

2.0 PROJECT DESCRIPTION

- The proposed project consists of the following improvements: the development of a state-of-the-art Science Center and multipurpose classrooms; the enhancement and completion of the student quad; updating utilities to support the new Science Center; renovation of existing classrooms; and, construction of a new administration building.

The proposed project includes a new two-story Science Center which would be constructed in an existing open space area and adjacent to the athletic fields/gymnasium building within the confines of the existing El Modena High School campus. The Science Center would be approximately 24,000 square feet and will include eight general science laboratories, four chemistry laboratories, and a medically fragile suite. Two new general multi-purpose classrooms will also be constructed (approximately 3,000 square feet). Technology and utility upgrades will be required to incorporate the Science Center into the existing school campus. Additionally, the District is proposing to enhance and complete the student quad.

Landscape improvements will include the consolidation and upgrading of the central student quad. The mature canary pines and ash trees that dominate the existing courtyard will be preserved and enhanced. A broadened concrete patio will connect the central

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walk south from the administration building to the new Science Center. Perimeter drought resistant planting will protect the lower story of the classroom building, both on the north, east, and west sides facing the quad, and the south side facing the baseball field. Fire lanes will be equipped with a grass pave system and turf.

The existing administration building is a single story, approximately 6,000 square-foot structure located in the center of the north half of the campus, facing Spring Street. The Master Plan for El Modena High School calls for the replacement of the existing administration building and the renovation of the four two-story classroom buildings adjacent to it. The new two-story administration building will become an entrance landmark for the campus, with a modernized entrance, generous upper story windows and prominent identity signage for the high school. On the lower level, the administration and counselling wing will be expanded to approximately 9,000 square feet. The upper level will contain an academic academy with six additional 1,200 square-foot classrooms. The new administration/classroom building will connect to the adjacent two-story classroom buildings with a second level pedestrian bridge ensuring universal access to all program spaces on the campus.

The renovation of existing Buildings 200 and 300 would renovate 32 existing classrooms. The renovation of Buildings 400 and 500 would renovate 21 existing classrooms. Renovation of the two-story buildings will allow the reconfiguration of the existing classrooms to create larger capacity classrooms (approximately 1,000 square feet each to accommodate up to 40 students). The existing high school campus includes 18 portable classrooms. Following construction activities, an estimated 18 portable classrooms are expected to be removed from the existing campus.

Construction of the new Science Center is expected to start in February 2019 and conclude in April of 2021. The new Science Center is expected to be ready for instruction by April of 2021. The new administration building and the modernization of the existing two-story classroom buildings are expected to be completed after this timeframe.

3.0 CEQA EVALUATION

3.1 CLASS 14 EXEMPTION

CEQA guidelines include exemptions for certain types of projects, including school projects. A Class 14 Exemption (CEQA Section 15314 – Minor Additions to Schools) applies to “minor additions to existing schools within existing school ground where the addition does not increase original student capacity by more than 25% or 10 classrooms, whichever is less.”

All of the proposed modifications to El Modena High School are within the confines of the existing school site. As shown in Table 2, the proposed modifications to El Modena High School are expected to result in an increase of three classrooms (less than 10). The changes in the number of classrooms are summarized below:

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- 8 general science laboratories in the new Science Center;
- 4 chemistry laboratories in the new Science Center;
- 1 medically fragile suite in the new Science Center;
- 2 general classrooms in the new Science Center;
- 6 new classrooms in the new administration building;
- Removal of 18 portable classrooms; and
- Total change in classrooms is three (3) new classrooms.

TABLE 2

Changes in Classrooms and Student Capacity at El Modena High School

New Classrooms – Science Center (includes laboratories)	15
New Classrooms – new Administration Building	6
Number of Existing Portable Classrooms to be Removed	18
Total Change in Classrooms as a Result of the Project	3

The District uses a maximum classroom loading capacity of 40 students per classroom with a goal of 32 students per classroom. The student capacity is estimated using the maximum and preferred student capacity for each type of classroom (see Table 3). Following project completion, there will be an increase in three regular classrooms. Assuming the District goal of 32 students per classroom, the increase in student capacity would be 96 students or an increase of 4.1 percent (see Table 4). Assuming the maximum student capacity of 40 students per classroom, the increase in student capacity would be 120 students or an increase of 4.2 percent (see Table 4).

TABLE 3

El Modena High School Student Capacity Per Classroom

STUDENT CAPACITY PER CLASSROOM		
Classrooms	Loading Factor	
	District Goal	District Maximum
Regular High School Classrooms	32 ⁽¹⁾	40 ⁽²⁾
Non-Severe Special Education ⁽³⁾	13	13
Severe Special Education ⁽³⁾	9	9

(1) OUSD goal for student classrooms of 32 students per classroom.

(2) OUSD maximum student capacity of 40 students per classroom.

(3) Based on California Office of Public School Construction estimated classroom loading factors.

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TABLE 4

El Modena High School Current And Future Student Capacity

EL MODENA EXISTING STUDENT CAPACITY			
Existing Student Capacity	No. Of Classrooms	Student Capacity	
		Goal Design Student Capacity	Maximum Student Capacity
Regular Classrooms	70	2,240 ⁽¹⁾	2,800 ⁽²⁾
Non-Severe Special Education ⁽³⁾	5	65	65
Severe Special Education ⁽³⁾	2	18	18
Total Existing Student Capacity:		2,323	2,883
EL MODENA PROPOSED PROJECT STUDENT CAPACITY			
Proposed Student Capacity	No. Of Classrooms	Student Capacity	
		Goal Design Student Capacity	Maximum Student Capacity
Regular Classrooms	73	2,336	2,920
Non-Severe Special Education ⁽³⁾	5	65	65
Severe Special Education ⁽³⁾	2	18	18
Total Proposed Student Capacity:		2,419	3,003
Percent Increase		4.1	4.2

(1) OUSD goal for student classrooms of 32 students per classroom.

(2) OUSD maximum student capacity of 40 students per classroom.

(3) Based on California Office of Public School Construction estimated classroom loading factors. See Table 3.

Therefore, the proposed modifications to El Modena High School are considered to be exempt per CEQA Guidelines §15314 Class 14 exemption for the following reasons:

- (1) The proposed project would result in an increase of three classrooms which is less than 10 classroom; and
- (2) The increase in student capacity would be 4.1 to 4.2 percent, which is less than 25 percent.

3.2 EXCEPTIONS TO CATEGORICAL EXEMPTIONS

CEQA Guidelines Section 15300.2, Exceptions, identifies conditions under which categorical exemptions would not be applicable. The proposed project has been reviewed under Section 15300.2 for characteristics or circumstances that might invalidate findings that the proposed project is exempt.

A. Location

CEQA Guidelines Section 15300.2(a) states that Class 3, 4, 5, 6, and 11 exemptions are qualified by consideration of whether the project is located in a uniquely sensitive environment, such that it impacts an environmental resource of hazardous or critical concern that has been designated, precisely mapped, and officially adopted pursuant to law by federal, state, or local agencies. This exception does not apply to the project as it is a Class 14 exemption and would be within an existing high school campus in an urban community.

B. Cumulative Impact

Exemptions are not applicable when there is a significant cumulative impact of “successive projects of the same type in the same place over time.” Beyond the proposed project, the District has no other planned improvements at El Modena High School. The District proposes similar school modernization improvements at other District high schools; however, they are not near El Modena High School. The nearest high schools are Villa Park and Orange high schools, which are approximately 2 miles north and 1.8 miles west of El Modena High School, respectively. Environmental effects caused by the modernization improvements at each high school site would be localized, limited to construction activities, and not within range of project effects at the other school sites, e.g., traffic, noise, etc. Each school’s modernization project would comply with applicable local, state, and federal regulations and District best management practices. Therefore, any potential overlap of construction activities would not result in a significant adverse impact and would not be cumulatively considerable. Additionally, there are no related projects near El Modena High School whose environmental effects could be combined with the proposed project’s to create cumulatively significant construction and operational impacts. Therefore, this exception does not apply to the proposed project.

C. Significant Effects

A categorical exemption cannot be used for an activity where there is a reasonable possibility that the activity will have a significant effect on the environment due to unusual circumstances (CEQA Guidelines Section 15300.2(c)). The determination whether this exception applies involves two distinct questions: (1) whether the project presents unusual circumstances, and (2) whether there is a reasonable possibility that a significant environmental impact will result from those unusual circumstances. The lead agency considers the second prong of this test only if it first finds that some circumstance of the project is unusual. *Berkeley Hillside Preservation v. City of Berkeley (2015) 60 Cal4th 1086, 1104.*

The proposed facility improvements at El Modena High School are not unusual. The proposed project, including new buildings, would be confined to the boundaries of the existing school campus. The height and architecture of the buildings would be consistent with the existing campus and surrounding development. The facility improvements and the anticipated construction methods would be common for school facility construction

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projects, which must adhere to strict standards established by California Code of Regulations Title 5, California Building Code, and California Education Code and are overseen by the California Department of Education and Division of the State Architect.

El Modena High School was built in 1965. With Measure S bond proceeds, the District will be able to update the campus to current safety standards and meet programming needs. The proposed improvements must adhere to the limits of the voter-approved bond, which allows for improvements within the existing campus, including a new state-of-the-art Science Center with multipurpose classrooms; the enhancement and completion of the student quad; updating utilities to support the new Science Center; renovation of existing classrooms; and, construction of a new administration building.

El Modena High School serves an attendance area that is built out, and the District does not forecast substantial enrollment growth at the school or within the District. The proposed project implementation could result in an increase of 96 to 120 students, or about a four percent increase in student capacity due to the addition of new classrooms. The proposed project would result in normal construction activities within the confines of the existing campus. The project would improve existing operations and modernize the existing campus, but is not expected to result in significant operational impacts.

There are no known unusual circumstances related to the project site or the proposed project, and there is also no evidence that the project would cause significant direct or indirect environmental effects. The District and its construction manager will comply with all applicable local, state, and federal laws, regulations, and best management practices that would minimize potential environmental impacts caused by construction activities. Therefore, this exception does not apply to the proposed project.

D. Scenic Highways

A categorical exemption cannot be used for a project which 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 (CEQA Guidelines Section 15300.2(d)). The closest officially designated scenic highway is State Route 91 from State Route 55 to east of the Anaheim city limits, about 5.5 miles north of the school. (Cal Trans, 2018). Due to the distance, topography, and intervening hills/structures, the school site would not be visible or result in a visual impact to a scenic resource. Therefore, this exception does not apply to the proposed project.

E. Hazardous Waste Sites

A categorical exemption cannot be used for a project on a site that is on any list compiled pursuant to Section 65962.5 of the California Government Code (CEQA Guidelines Section 15300.2(e)). Section 65962.5 of the California Government Code specifies: (1) lists of hazardous materials sites and hazardous waste facilities; (2) hazardous waste discharges for which the State Water Quality Control Board has issued certain types of

orders; (3) public drinking water wells containing detectable levels of organic contaminants; (4) underground storage tanks with reported unauthorized releases; and (5) solid waste disposal facilities from which hazardous waste has migrated. Three regulatory agency databases were searched including: (1) GeoTracker, maintained by the State Water Resources Control Board; (2) EnviroStor, maintained by the California Department of Toxic Substances Control; and (3) EnviroMapper, maintained by the U.S. Environmental Protection Agency.

In January 1992, an underground storage tank containing waste oil, motor oil, hydraulic fluids, and lubricating oil was found to be leaking at the school site. The tank was removed, contaminated soil was removed and transported to an approved site, and site remediation was completed in December 1992. The City of Orange Fire Department issued a No Further Action letter in December 1992, indicating that the contamination had been removed and no further remediation was required (RWQCB, 2018). Therefore, the site has been remediated, is not contaminated, and therefore, this exception does not apply to the proposed project.

F. Historic Resources

A categorical exemption cannot be used for a project which may cause a substantial adverse change in the significance of a historical resource. Historical resources are defined as buildings, structures, or objects that are more than 50 years old (CCR 4852(d)(2)). El Modena High School was built between 1965 and 1966 and meets the minimum age requirement of 50 years to be considered for historical significance. However, the project site is not listed on an official local register of historical resources, the California Register of Historical Resources, or the National Register of Historic Places (OHP, 2018). Further, the proposed project would not demolish any existing structures; therefore, the proposed project would not result in a direct impact to a historical resource and this exception does not apply to the proposed project.

4.0 CONCLUSION

Based on the above discussion, the proposed modifications to El Modena High School are considered to be exempt per CEQA Guidelines §15314 Class 14 exemption for the following reasons:

- (1) The proposed project would result in an increase of three classrooms which is less than 10 classrooms;
- (2) The increase in student capacity would be 4.1 to 4.2 percent, which is less than 25 percent; and
- (3) None of the exceptions to the exemptions apply to the proposed project.

Therefore, the proposed modifications to El Modena High School meet the requirements of CEQA Guidelines §15314 Class 14 exemption, and the proposed project is exempt under CEQA.

5.0 REFERENCES

California Department of Education (CDE), 2018. Enrollment Report. Accessed 2/21/18
<https://dq.cde.ca.gov/dataquest/>

California Department of Transportation (Caltrans), 2018. California Scenic Highway Mapping System. Accessed 1/23/18.
http://www.dot.ca.gov/hq/LandArch/16_livability/scenic_highways/index.htm

Department of Toxic Substances Control (DTSC), 2018. EnviroStor Database. Accessed 2/23/18. <http://www.envirostor.dtsc.ca.gov/public>

Regional Water Quality Control Board (RWQCB), 2018. GeoTracker Database. Accessed 2/23/18. <https://geotracker.waterboards.ca.gov/>

U.S. Environmental Protection Agency (U.S. EPA), 2018. EnviroMapper Database. Accessed 2/23/18. <https://www.epa.gov/emefdata/em4ef.home>

Office of Historic Preservation (OHP). Listed California Historical Resources. Accessed 2.23/18.
<http://www.ohp.parks.ca.gov/ListedResources/?view=county&criteria=30>

