

Liberty Union High School District

Administrative Regulation

Classification: New Construction

Policy No.

AR 7220

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Effective

9/23/92

Subject: Site Selection and Development

Revised

Environmental Impact Consideration Procedures

1. All proposed discretionary projects shall be evaluated to determine whether the project:
 - a. Is categorically exempt from these procedures.
 - b. Is the appropriate subject of a negative declaration.
 - c. May have a significant effect on the environment.

2. If the project is categorically exempt from the California Environmental Quality Act, a notice of exemption shall be filed pursuant to Public Resources Code 21152.

3. The Superintendent or designee shall consult with the city or county and with the local air quality district in order to identify any facilities within a quarter mile of the proposed site which might produce hazardous air emissions. (Education Code 39003, 39120; Public Resources Code 21151.3)

Following this consultation, the Board shall make one of the following written findings: (Education Code 39003, 39120; Public Resources Code 21151.3)

- a. That no facility which might produce hazardous air emissions exists, or
 - b. That the health risks from such facilities do not and will not actually or potentially endanger the health of students or staff.
4. The Superintendent or designee shall determine that the proposed site is not any of the following:
 - a. The site of a current or former hazardous waste or solid waste disposal site unless, if the site was a former solid waste disposal site, the Board concludes that the wastes have been removed.
 - b. A hazardous substance release site identified by the State Department of Health Services and currently listed for removal or remedial action.
 - c. A site which contains one or more pipelines, under or above ground, carrying hazardous substances, acutely hazardous materials or hazardous wastes, unless the pipeline is a natural gas line used only to supply natural gas to the school or neighborhood. (Education Code 39003)
5. Information resulting from the investigations in items #3 and #4 above shall be included in the negative declaration or environment impact report.
6. If it is determined that the project does not require the preparation of a draft environmental impact report (EIR), a negative declaration and the initial study shall be filed with the County Clerk, the State Office of Planning and Research, and other appropriate state agencies. Copies of the negative declaration and the initial study shall also be made available to local planning agencies, with interested persons, and to the general public in accordance with paragraph #5 below.
 - a. The Governing Board shall not approve any such projects until at least 30 days have passed for review and comment. This review period shall be extended as necessary when the declaration is sent to the State Clearinghouse for review.

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- b. Upon the close of the review period, the Board shall determine whether the project is the appropriate subject of a negative declaration at a special or regularly scheduled meeting.
- (1) The Board may affirm the decision that the project is the appropriate subject of a negative declaration and subsequently proceed according to paragraph #7(e).
- (2) If the Board determines that the project is not the appropriate subject of a negative declaration, it will proceed in accordance with paragraph #7.
7. If the project may have a significant effect on the environment, a draft environmental impact report (EIR) shall be prepared, with consultant assistance if necessary.
- a. Upon completion of the draft, it shall be filed with the State Office of Planning and Research along with a Notice of Completion. The Notice and draft EIR shall also be made available to local planning agencies, appropriate state agencies, other interested parties, and to the general public in accordance with paragraph #8 below.
- b. After filing the Notice of Completion, the district shall consult with, and obtain comments from, any bordering cities or counties and any public agency which has jurisdiction over the project. The district also may consult with any other person who has been given the opportunity to comment on the draft.
- d. The final environmental impact report shall be adopted by the Board prior to the Board's decision to proceed with the project.
- e. The Notice of Determination shall be filed with the County Clerk and the State Office of Planning and Research.
8. When the district is preparing either a negative declaration or an environmental impact report, public notice of that fact shall be provided pursuant to Public Resources Code 21092.
- The notice shall briefly describe the proposed project and its location, the address where copies of the draft EIR or negative declaration are available for review, the time period when comments will be received, and the date, time, and place of any related public meetings or hearings (Public Resources Code 21092)
- The request for a mailed notice must be renewed annually. Except for notices sent to public agencies, the district shall charge a fee which is reasonably related to the cost of providing the notice.
9. If mitigation measures are required as part of either making a negative declaration or completing an environmental impact report, the Board shall adopt a reporting and monitoring program. The reporting or monitoring program shall be designed to ensure compliance with the mitigation measures during project implementation. (Public Resources Code 21081.6)