

**LAGUNA BEACH UNIFIED SCHOOL DISTRICT
RESOLUTION NO. 25-06**

RESOLUTION OF THE LAGUNA BEACH UNIFIED SCHOOL DISTRICT BOARD OF EDUCATION ADOPTING THE INITIAL STUDY AND MITIGATED NEGATIVE DECLARATION, APPROVING A MITIGATION MONITORING AND REPORTING PROGRAM FOR THE MODERNIZATION AND OPERATION OF THE PROPOSED LBHS POOL MODERNIZATION PROJECT, ADOPTING WRITTEN FINDINGS PURSUANT TO THE CALIFORNIA ENVIRONMENTAL QUALITY ACT, CALIFORNIA EDUCATION CODE, AND CALIFORNIA CODE OF REGULATIONS; AND THE AUTHORIZATION TO FILE A NOTICE OF DETERMINATION

WHEREAS, the Board of Education (Board) of the Laguna Beach Unified School District (District) desires to modernize the existing pool facility (Project Site) located north of Park Avenue and east of Manzanita Drive, on the same property and west of the existing Laguna Beach High School and Community Tennis Courts, and centrally situated across Park Avenue from Laguna Beach High School, County of Orange; and

WHEREAS, the Board desires to have the District construct, operate, and maintain a new pool facility in the location of the existing pool facility upon the Project Site housing high school athletic, district, and community use, and consisting of a 45 meter x 25 yard swimming pool, team room, locker rooms, public restroom and changing rooms, equipment rooms, and parking facilities; and

WHEREAS, prior to commencement of the Project, the District must comply with the California Environmental Quality Act (CEQA), Title 5 of the California Code of Regulations (CCR), and California Education Code (CEC); and

WHEREAS, the District, acting as the Lead Agency as defined in the Public Resources Code (PRC) §21067, retained UltraSystems Environmental, Inc. (UltraSystems) to prepare an Initial Study for the Project to ascertain whether the Project may have a significant effect on the environment; and

WHEREAS, the Initial Study discloses there is no substantial evidence that the Project will have a significant effect on the environment if certain mitigation measures are adopted; and

WHEREAS, on the basis of the Initial Study, District staff determined that a Mitigated Negative Declaration should be prepared for the Project; and

WHEREAS, the Mitigated Negative Declaration was prepared pursuant to CEQA Statute and Guidelines; and

WHEREAS, pursuant to PRC §§21091- 21092, the District released the Initial Study and Mitigated Negative Declaration for a 30-day public review period on January 17, 2025, submitted to the California State Clearinghouse (State Clearinghouse No. 2025010571) for distribution to potentially affected state agencies and organizations, provided copies of the IS/MND available for review by interested persons at the Laguna Beach Unified School District Facilities office (550 Blumont Street, Laguna Beach, CA), Orange County Clerk-Recorder office (630 N. Broadway, Santa Ana, CA), and available online at www.lbusd.org; and

WHEREAS, pursuant to CEQA (14 CCR §15072), the District has given notice to the public and other agencies identified in 14 CCR §15072 that the Project will not have a significant effect on the environment and that the District proposes to adopt a Mitigated Negative Declaration for the Project; and

WHEREAS, the District published a Notice of Intent to Adopt a Mitigated Negative Declaration in the local newspaper, and posted a copy of the notice at the Orange County Clerk-Recorder office; and

WHEREAS, the District received, considered and responded to comments received from the public and other interested agencies regarding the Initial Study and Mitigated Negative Declaration; and

WHEREAS, the Mitigated Negative Declaration includes mitigation measures which, if adopted, will mitigate potential environmental impacts of the Project to a less than significant level (“Mitigation Measures”); and

WHEREAS, pursuant to CEC §17212, a geological and soil engineering investigation report (“Geotechnical Report”) and a geological and environmental hazards assessment (“Geohazards Report”) for the Project Site were completed; and

WHEREAS, the Initial Study and Mitigated Negative Declaration and all supporting materials, which constitute a record of these proceedings, are kept at the Laguna Beach Unified School District Main District Office (550 Blumont Street, Laguna Beach, CA) under the control of the Business Office.

NOW, THEREFORE, the Laguna Beach Unified School District Board of Education hereby finds, determines, declares, orders and resolves as follows:

Section 1. That all of the recitals set forth above are true and correct.

Section 2. That the Board reviewed and considered the information contained in the Initial Study and Mitigated Negative Declaration including, without limitation, comments from the public and interested parties and the District’s responses to such comments. The Board hereby makes the following specific findings with respect to the Mitigated Negative Declaration:

- (a) The Mitigated Negative Declaration prepared for the Project contains a complete and accurate reporting of the potential environmental impacts associated with the Project; and
- (b) The Mitigated Negative Declaration has been completed in compliance with CEQA Statute and Guidelines; and
- (c) Pursuant to CEQA (14 CCR §15074), on the basis of the whole record before the Board, including the Initial Study and any comments received, there is no substantial evidence in the record supporting a fair argument that the Project may result in significant effects on the environment if the Mitigation Measures are adopted and incorporated into the Project; and
- (d) The Board does hereby adopt the Mitigation Measures for the Project; and

- (e) The Mitigated Negative Declaration and Initial Study reflect the independent judgment of the Board; and
- (f) Any mitigation measures added to the Mitigated Negative Declaration and Mitigation Measures subsequent to the circulation of the draft Mitigated Negative Declaration are either minor changes to the Project and do not result in a fundamental reorganization of the Mitigated Negative Declaration, and/or the purpose of the additional mitigation measures is to reduce the potential effects on the environment that were already identified in the draft Mitigated Negative Declaration to a less than significant level, and further that the additional mitigation measures do not have the potential to have a significant impact upon the environment; and
- (g) That any mitigation measures which have been changed or substituted subsequent to the circulation of the draft Mitigated Negative Declaration are equivalent or more effective in mitigating the potential environmental impacts than the prior mitigation measures, and that the change and/or substitution of such mitigation measures will not itself cause any potentially significant effect on the environment.

Section 3. That pursuant to CEC §17212, the District has properly prepared a Geohazards Report for the Project Site and that the report conclude that there is not a trace or geological fault along which a surface rupture could reasonably be expected to occur within the life of any of the proposed school buildings upon the Project Site, nor are there any school buildings upon the Project Site which are proposed to be constructed within 50 feet of a trace of a geologic fault along which a surface rupture can reasonable be expected to occur within the life of such school buildings.

Section 4. That the Project is hereby approved and the Mitigated Negative Declaration is hereby adopted for the Project and that the District adopts the Mitigation Measures as set forth in the Mitigated Negative Declaration (i.e., Mitigation Monitoring and Reporting Plan).

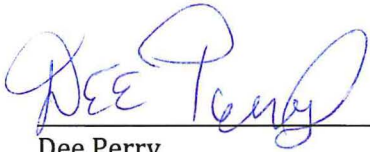
Section 5. That the proposed Project will have no adverse impacts, either individually or cumulatively, on wildlife resources or the habitat upon which the wildlife depends as defined in Fish and Game Code §711.2, nor will it adversely impact the resources governed by the State Department of Fish and Wildlife.

Section 6. That the District's staff is instructed to file a Notice of Determination and a Certificate of Fee Exemption for the Project with the County of Orange Clerk-Recorder and with the Office of Planning and Research of the State of California within five business days of adoption of this resolution.

Section 7. That this resolution shall be effective as of the date of its adoption.


APPROVED, PASSED AND ADOPTED by the Board of the Laguna Beach Unified School District on the 20th day of March 2025, by the following vote:

AYE: 5 Kelly, Hills, Malczewski, Morgan, Perry
NO: 0
ABSENT: 0
ABSTENTION: 0



Dee Perry
President of the Board of Education
Laguna Beach Unified School District

Attested to:



Howard Hills
Clerk of the Board of Education
Laguna Beach Unified School District