ALAMEDA UNIFIED SCHOOL DISTRICT
Alameda, California
Resolution

March 11, 2025 Resolution No. 2024-2025.59

Adoption of Notice of Exemption Pursuant to California Code of Regulations, Title 14, Section 15302 and Section 15314 to Alameda Unified School District's Otis Elementary School Site Work and New Construction Project

WHEREAS, the Alameda Unified School District ("District") has developed the Otis Elementary School Site Work and New Construction Project ("Project"), which consists of the replacement of the existing administration/classroom building and one portable building with a one-story administration/media center building and a two-story classroom building, replacement of existing play areas, fire alarm upgrades, and limited modernization of existing buildings; and

WHEREAS, the Project would replace or modernize existing facilities within the existing campus and are intended to serve the existing student population; and

WHEREAS, the California Environmental Quality Act ("CEQA") requires a lead agency to consider the potential environmental effects of any project and generally require the preparation of an environmental impact report prior to the undertaking of any construction project; and

WHEREAS, despite this general rule, the Guidelines for the CEQA, California Code of Regulations Title 14, Chapter 13 exempt certain projects from further CEQA evaluation, including where the replacement facilities will be located on the same site as the structure replaced and will have substantially the same purpose and capacity as the structure(s) replaced. (Cal. Code Regs., Tit. 14, §15302 ("Class 2")); and

WHEREAS, Cal. Code Regs., Tit. 14, §15314 ("Class 14") provides an additional exemption for minor additions to existing schools within existing school grounds where the addition does not increase the original student capacity by more that 25 percent or ten classrooms, whichever is less; and

WHEREAS, the District has considered whether the Project may have a significant effect on the environment; and

WHEREAS, the District has determined that the Project is eligible for Class 2 and Class 14 Exemptions; and

WHEREAS, upon determining that a project is exempt from CEQA, the District is entitled to file a Notice of Exemption with the County Clerk pursuant to California Code of Regulations, Title 14, section 15062; and

WHEREAS, the Notice of Exemption attached hereto as Attachment "A" shall be filed with the Alameda County Clerk and shall be made available for public inspection; and

WHEREAS, the filing of the Notice of Exemption shall start a thirty-five (35) day statute of limitations period on legal challenges to the District's decision that the Project are exempt from CEQA;

NOW, THEREFORE, the Governing Board of the Alameda Unified School District hereby finds, determines, declares, orders, and resolves as follows:

Section 1. The foregoing recitals are hereby adopted as true and correct.

Section 2. The Board has reviewed and analyzed applicable exemptions and determined that the Project is categorically exempt from CEQA pursuant to Cal. Code Regs., Tit. 14, §15302(a).

Section 3. The Board adopts the Notice of Exemption, attached hereto as Attachment "A" and finds that the Project is exempt from CEQA review on the bases stated herein and in the Notice of Exemption.

Section 4. The Superintendent or designee is hereby directed to sign and file the Notice of Exemption, attached hereto as Attachment "A", with Alameda County Clerk's Office.

PASSED AND ADOPTED by the following vote this 11th day of March, 2025:

AYES: 5 MEMBERS: Lym, LaLonde, Little, Williams, Hall

NOES: _____ MEMBERS: _____

ABSENT: _____ MEMBERS: _____

Gary K Lym (03/12/2025 14:06 PDT)

Gary K. Lym, President
Board of Education
Alameda Unified School District

ATTEST:

By: Pasquale Scuderi (03/12/2025 15:05 PDT)
Pasquale Scuderi, Secretary
Board of Education
Alameda Unified School District

Notice of Exemption

Appendix E

To: Office of Planning and Research
P.O. Box 3044, Room 113
Sacramento, CA 95812-3044

County Clerk
County of: Alameda
1106 Madison Street
Oakland, CA 94607

From: (Public Agency): Alameda Unified School District
2060 Challenger Dr
Alameda, CA 94501
(Address)

Project Title: Otis Elementary School Site Work and New Construction

Project Applicant: Alameda Unified School District

Project Location - Specific:

Otis Elementary School, 3010 Fillmore Street, Alameda, CA 94501

Project Location - City: Alameda Project Location - County: Alameda

Description of Nature, Purpose and Beneficiaries of Project:

The project includes replacement of the existing administration/classroom building and one portable building with a one-story administration/media center building and a two-story classroom building, replacement of existing play areas, fire alarm upgrades, and limited modernization of existing buildings.

Name of Public Agency Approving Project: Alameda Unified School District

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

Exempt Status: **(check one):**

- ☐ 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: Class 2 (15302), Class 14 (15314)
- ☐ Statutory Exemptions. State code number: _____

Reasons why project is exempt:

The project would replace or modernize existing facilities within the existing campus intended to serve the existing student population. The replacement facilities serve the same purpose on the same parcel as the existing facilities to be replaced and have essentially the same capacity. No exceptions, per Section 15300.2, exist on the project sites. Please see the January 2025 Categorical Exemption Supporting Memo.

Lead Agency Contact Person: Shariq Khan Area Code/Telephone/Extension: (510) 337-7066

If filed by applicant:

1. Attach certified document of exemption finding.
2. Has a Notice of Exemption been filed by the public agency approving the project? ☐ Yes ☐ No

Signature: _____ Date: _____ Title: _____

☒ Signed by Lead Agency ☐ Signed by Applicant

Authority cited: Sections 21083 and 21110, Public Resources Code.
Reference: Sections 21108, 21152, and 21152.1, Public Resources Code.

Date Received for filing at OPR: _____