

# NOTICE OF EXEMPTION

2019090465

TO: Office of Planning and Research  
1400 Tenth Street, Room 121  
Sacramento, CA 95814

FROM: Firebaugh Las Deltas Unified School District  
1976 Morris Kyle Drive  
Firebaugh, CA 93622

Assessor-County Clerk-Recorder  
County of Fresno  
2281 Tulare Street  
Fresno, CA 93721

**Project Title:** AQUATIC CENTER IMPROVEMENTS

**Project Location - Specific:** Improvement of aquatic center located at 1976 Morris Kyle Drive, Firebaugh, California, 93622 ("Property")

**Project Location - City:** Firebaugh

**Project Location - County:** Fresno

**Description of Project:**

Firebaugh Las Deltas Unified School District proposes to improve existing aquatic center

**Name of Public Agency Approving Project:** Firebaugh Las Deltas Unified School District

**Name of Person or Agency Carrying Out Project:** Firebaugh Las Deltas Unified School District

**Exempt Status:** (check one)

- Ministerial (Sec. 21080(a)(1); 15268(b));
- Declared Emergency (Sec. 21080(b)(3); 15269(a));
- Emergency Project (Sec. 21080(b)(4); 15269(b)(c));
- Categorical Exemption. State Type and section number:  
(1) Operation and minor alteration of existing facilities [15301]
- Statutory Exemptions. State Code number:

**Reasons why project is exempt:**

Firebaugh Las Deltas Unified School District proposes to demolish and reconstruct the current aquatic center to improve facilities and make it ADA compliant. The Project will not involve any changes to use of the Property. The Project will not cause a substantial adverse change in the significance of a historical resource. The Project will not involve the use of significant amounts of hazardous substances. The Property is not located in an area of statewide, regional, or area-wide concern identified in CEQA Guidelines Section 15206(b)(4). The Project is not subject to any of the exceptions to exemption set forth in CEQA Guidelines section 15300.2.

**Lead Agency Contact Person:**

**Area Code/Telephone/Ext.:** Phone Number

Governor's Office of Planning & Research

SEP 18 2019

STATE CLEARINGHOUSE

**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: 9-12-19 Title: Superintendent

Signed by Lead Agency

Date received for filing at OPR:

Signed by Applicant

**FIREBAUGH-LAS DELTAS UNIFIED SCHOOL DISTRICT****RESOLUTION NO. 19/20-07****RESOLUTION OF THE GOVERNING BOARD APPROVING  
CONSTRUCTION OF IMPROVED AQUATIC CENTER AND FINDING  
THE PROJECT EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL  
QUALITY ACT AND APPROVING THE FILING AND RECORDATION OF  
A NOTICE OF EXEMPTION**

**WHEREAS**, the Governing Board of Firebaugh-Las Deltas Unified School District (the "Board") desires to construct an improved aquatic center at 1976 Morris Kyle Drive in Firebaugh, California, a description of which is attached as Exhibit "A" (the "Property" and the related "Project"); and

**WHEREAS**, prior to commencement of the Project, the Board must comply with the California Environmental Quality Act ("CEQA"); and

**WHEREAS**, categorical exemptions to CEQA are set forth in Article 19 of Title 14 of the California Code of Regulations ("CEQA Guidelines"); and

**WHEREAS**, CEQA Guidelines Section 15301 sets forth an exemption from CEQA for improvements upon existing facilities where the project 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; and

**WHEREAS**, Section 15301 further provides that the key consideration in determining whether a project is exempt from CEQA under said exemption category is whether the project involves negligible or no expansion of an existing use; and

**WHEREAS**, the Firebaugh-Las Deltas Unified School District currently operates a non-compliant competition pool at 1976 Morris Kyle Drive and the Project will be completed at the same location to replace the non-compliant competition pool; therefore, the Project involves negligible or no expansion of an existing use at this time; and

**WHEREAS**, should the Board decide at a future date to develop the Property more extensively in conjunction with a different school facility project or otherwise, the Board will conduct and implement any and all necessary site development procedures, inspections, and evaluation, including but not limited to CEQA compliance and other reviews as may be required by local and state laws, prior to approving any such development of the Property; and

**WHEREAS**, the Property is not located in an area of statewide, regional, or areawide concerns as identified in CEQA Guidelines Section 15206(b)(4); and

**WHEREAS**, the Board has considered whether the Project may have significant impacts on the environment; and

**WHEREAS**, the Board has concluded, through its own independent review and analysis of the Project, that the Project will not have a significant impact on the environment.

NOW, THEREFORE, the Board 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 has considered whether the Project may have significant impacts on the environment.

**Section 3.** That the Board has concluded, after reviewing the Project through its own independent review and analysis, that the Project will not have a significant impact on the environment.

**Section 4.** That the Project will not result in damage to scenic resources pursuant to Public Resources Codes Section 21084.

**Section 5.** That the Property is not located in an area of statewide, regional, or areawide concerns as identified in CEQA Guidelines Section 15206(b)(4).

**Section 6.** That the Project is subject to CEQA Guidelines Section 15301 and is therefore exempt from CEQA.

**Section 7.** That the Superintendent is authorized to undertake and perform all actions and complete all documents necessary to complete the Project on behalf of this Board.

**Section 8.** That the Superintendent or the Superintendent's designee, is instructed to file and/or record a Notice of Exemption from the California Environmental Quality Act, consistent with this Resolution, attached hereto as Exhibit "B," with any and all appropriate public agencies or entities, subject only to minor, non-substantive revisions, if necessary.

**Section 9.** This Resolution shall take effect immediately upon adoption.

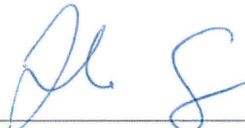
ADOPTED, SIGNED AND APPROVED this 12th day of September, 2019, by the following vote:

AYES: Fernando Campa, Abel Serrano, Gilbert Coelho, Eliseo Gamino, Ronald Parker

NOES: None

ABSENT: None

ABSTAINED: None

  
\_\_\_\_\_  
Fernando Campa, President of the Governing Board

**EXHIBIT "A"**

**PROPERTY**

(To Be Inserted)

**LEGAL DESCRIPTION**

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE CITY OF FIREBAUGH, COUNTY OF FRESNO, STATE OF CALIFORNIA AND IS DESCRIBED AS FOLLOWS:

That portion of Section 33, Township 12 South, Range 14 East, Mount Diablo Base and Meridian, according to the Official Plat thereof, described as follows:

Commencing at the Northeast corner of said Section 33; thence North 89° 35' 30" West 1719.61 feet; thence South 35° 52' West 55.12 feet; thence South 45° 19' West 241.50 feet; thence South 11° 31' West 87.40 feet; thence South 41° 49' West 198.20 feet; thence South 49° 06' West 188.60 feet; thence South 19° 07' West 99.10 feet; thence South 45° 00' West 186.20 feet; thence South 29° 06' West 224.10 feet; thence South 26° 45' West 477.60 feet, to the true point of beginning; thence South 4° 40' East 219.70 feet; thence South 31° 12' East 101.20 feet; thence South 44° 31' East 196.90 feet; thence South 41° 23' West 117.70 ft; thence North 87° 22' West 105.00 feet; thence South 49° 39' West 38.90 feet; thence South 73° 38' 45" West 1162.42 feet to a point on the Easterly right of way line of the Helm Canal; thence along said Canal right of way line, North 21° 16' West 615.82 feet; thence leaving said Canal right of way line, North 4° 44' West 438.62 feet to the most Southwesterly corner of Tract No. 2332, according to the map thereof recorded in Book 26 Pages 44 and 45 of Plats, Fresno County Records; thence North 85° 15' 30" East along the South line of said Tract No. 2332 and along the South line of Tract No. 2411, according to the map thereof recorded in Book 27 Page 24 of Plats, Fresno County Records, 754.28 feet to the most Southeasterly corner of said Tract No. 2411; thence South 85° 02' East 121.75 feet; thence North 71° 26' 11" East 140.00 feet; thence South 1° 25' 03" East 110.00 feet; thence along a nontangent curve to the right, concave to the Southeast, with a radial bearing of South 22° 43' 26" East a radius of 260.00 feet, a central angle of 5° 30' 33", and an arc length of 25.00 feet; thence North 4° 58' 00" East 167.11 feet; thence South 85° 00' 00" East 17.50 feet; as tenants in common North 49° 04' 48" West 21.61 feet; thence North 4° 58' 00" East 9.53 feet; thence North 26° 45' 10" East 36.86 ft; thence South 55° 21' 59" East 275.17 feet to the point of beginning.

EXCEPTING THEREFROM that portion of said land which lies within Tract No. 2499, Green Acres Addition No.2, according to the map thereof recorded in Book 29 Page 5 of Plats, Fresno County Records;

ALSO EXCEPTING THEREFROM all that portion of said land described as follows:

Commencing at a point that bears North 57° 33' 20" East a distance of 204.59 feet from the Southeast corner of Lot 7 in Tract No. 2411, according to the map thereof recorded in Book 27 Page 24 of Plats, Fresno County Records; thence from said point South 85° 00' East 140.00 feet; thence North 49° 04' 48" West 161.12 feet; and South 10° 45' West 95 feet to the point of commencement.

ALSO EXCEPTING THEREFROM that portion of said land lying within the boundaries of the legal description described as follows:

Beginning at the Southeast corner of Lot 7 of said Tract No. 2411, thence North 04° 58' 00" East, a distance of 111.60 feet to the Northeast corner of said Lot 7, thence North 85° 15' 30" East a distance of 10.26 feet; thence along a curve to the right, concave to the South, with a radius of 45.00 feet, a central angle of 37° 51' 48", and an arc length of 29.74 feet; thence along a reverse curve to the left, concave to the West, with a radius of 50.00 feet, a central angle of 255° 43' 36" and an arc length of 223.16 feet; thence along a reverse curve to the right, concave to the North, with a radius of 45.00 feet, a central angle of 27° 51' 48" and an arc length of 29.74 feet to the Southeast corner of Lot 8 of said Tract No. 2411; thence North 04° 58' 00" East along the East line of Lots 8, 17, 18 and 27 of said Tract No. 2411, a distance of 436.68 feet; thence South 33° 32' 13" East a distance of 325.84 feet; thence North 56° 27' 47" East a distance of 110.18 feet; thence along a nontangent curve to the left, concave to the Northeast, with a radial bearing of North 54° 20' 27" East a radius of 269.00 feet, a central angle of 22°

CLTA Preliminary Report Form - Modified (11/17/06)

EXHIBIT "A" (continued)

48' 50", and an arc length of 103.51 feet; thence South 26° 45' 10" West a distance of 229.45 feet; thence South 04° 58' 00" West a distance of 189.32 feet; thence along a nontangent curve to the left, concave to the Southeast, with a radial bearing of South 17° 12' 53" East a radius of 260.00 feet, a central angle of 05° 30' 33", and an arc length of 25.00 feet; thence North 01° 25' 03" West a distance of 113.00 feet; thence North 71° 26' 11" West a distance of 140.00 feet; thence North 85° 02' 06" West a distance of 121.75 feet to the point of beginning.

ALSO EXCEPTING THEREFROM an undivided 1/8 interest in and to all oil, gas and other hydrocarbons and minerals lying below a depth of 500 feet measured vertically from the surface of said property, as reserved in the deed February 11, 1966, executed by Matt Coelho, also known as Matthew Coelho and Ellamae Coelho to Timothy Indart, recorded March 2, 1966, as Document No. 16090, Official Records.

APN: 007-180-25ST

**EXHIBIT "B"**

**NOTICE OF EXEMPTION**

(To Be Inserted)