

Notice of Determination

Appendix D

To:

Office of Planning and Research
 U.S. Mail: Street Address:
 P.O. Box 3044 1400 Tenth St., Rm 113
 Sacramento, CA 95812-3044 Sacramento, CA 95814

County Clerk
 County of: Los Angeles
 Address: 12400 E Imperial Highway, Room 1201
Norwalk, California 90650

From:

Public Agency: Santa Monica-Malibu USD
 Address: 1651 16th Street
Santa Monica, California 90404
 Contact: Carey Upton, Chief Operations Officer
 Phone: (310) 450-8338 x79383

Lead Agency (if different from above):

Address: _____

Contact: _____

Phone: _____

SUBJECT: Filing of Notice of Determination in compliance with Section 21108 or 21152 of the Public Resources Code.

State Clearinghouse Number (if submitted to State Clearinghouse): _____

Project Title: Will Rogers Learning Community Campus Expansion and Improvement Project

Project Applicant: Not applicable

Project Location (include county): 2401 14th Street, Santa Monica, Los Angeles County, CA 90405

Project Description:

The Proposed Project would result in the addition of the property located at 1515 Maple Street to campus and the removal/demolition of 16 portable and permanent buildings, construction of three new buildings, renovation and reuse of eight existing buildings (classrooms and cafeteria) and outdoor spaces, and reconfiguration of outdoor and parking/transportation areas over an approximate span of 10 to 15 years. Phase 1, which is currently funded, includes removal of six existing portable classrooms and one existing restroom building, construction of a new one-story early education classroom building and associated play yards, and construction of a new play field. Subsequent phases would be constructed as funding becomes available and would include removal of five additional existing modular classrooms, removal of four one-story classroom buildings, expansion and reconfiguration of an existing parking lot, construction of a new student drop-off/pick-up area, repurposing existing classrooms into STEM classrooms, repurposing outdoor spaces into outdoor classrooms, construction of a new multipurpose room/food services facility, installation of a learning garden, construction of a new parking lot, and construction of a new two-story classroom building. See attached resolution.

This is to advise that the Santa Monica-Malibu Unified School District has approved the above
 Lead Agency or Responsible Agency)

described project on _____ and has made the following determinations regarding the above
 (date)
 described project.

1. The project [will will not] have a significant effect on the environment.
2. An Environmental Impact Report was prepared for this project pursuant to the provisions of CEQA.
 A Negative Declaration was prepared for this project pursuant to the provisions of CEQA.
3. Mitigation measures [were were not] made a condition of the approval of the project.
4. A mitigation reporting or monitoring plan [was was not] adopted for this project.
5. A statement of Overriding Considerations [was was not] adopted for this project.
6. Findings [were were not] made pursuant to the provisions of CEQA.

This is to certify that the final EIR with comments and responses and record of project approval, or the negative Declaration, is available to the General Public at:

Santa Monica-Malibu USD, Facility Improvement Projects Office, 2828 Fourth Street, Santa Monica, CA 90405

Signature (Public Agency):  CAREY UPTON Title: CHIEF OPERATIONS OFFICER

Date: 1/19/2023 Date Received for filing at OPR: _____

**SANTA MONICA-MALIBU UNIFIED SCHOOL DISTRICT
BOARD OF EDUCATION**

RESOLUTION 22-28

**ADOPTING THE WILL ROGERS LEARNING COMMUNITY EXPANSION AND
IMPROVEMENT PROJECT'S MITIGATED NEGATIVE DECLARATION AND MITIGATION
MONITORING AND REPORTING PROGRAM AND DECIDING TO CARRY OUT THE
PROJECT**

WHEREAS, the Santa Monica-Malibu Unified School District ("District") developed the Will Rogers Learning Community Campus Expansion and Improvement Project to upgrade campus facilities at Will Rogers Learning Community located at 240114th Street, Santa Monica, California 90405 ("Project");

WHEREAS, the Proposed Project consists of expanding the Campus to a District acquired parcel formerly located at 1515 Maple Street, Santa Monica, CA, and improving the Campus by the removal/demolition of 16 permanent and temporary buildings, construction of three new buildings, renovation, and reuse of eight existing buildings and outdoor spaces, and reconfiguration of outdoor and parking/transportation areas over an approximate span of 10 to 15 years. Phase 1, which is currently funded, includes removal of six existing portable classrooms and one restroom building, construction of a new one-story early education classroom building and associated play yards, and construction of a new play field. Subsequent phases would be constructed as funding becomes available and would include removal of five additional existing modular classrooms, removal of four one-story classroom buildings, expansion and reconfiguration of an existing parking lot, construction of a new student drop-off/pick-up area, repurposing existing classrooms into STEM classrooms, repurposing outdoor spaces into outdoor classrooms, construction of a new multipurpose room/food services facility, installation of a learning garden, construction of a new parking lot, and construction of a new two-story classroom building;

WHEREAS, the California Environmental Quality Act ("CEQA") requires the District to evaluate and determine whether the Project could create significant environmental impacts and develop and adopt feasible mitigation measures to reduce such impacts to less than significant;

WHEREAS, the District engaged Ascent Environmental ("Ascent") to conduct CEQA review of the Project;

WHEREAS, Ascent analyzed the Project and determined that it could potentially create significant environmental impacts to air quality, biological resources, cultural resources, hazards, hazardous materials, noise, transportation and traffic, and tribal cultural resources, but that implementation of certain mitigation measures would reduce such impacts to less than significant and that a Mitigated Negative Declaration ("MND") is the appropriate environmental document;

WHEREAS, Ascent prepared an MND that describes the Project, analyzes the potential environmental impacts, and identifies mitigation measures to reduce those significant environmental impacts to less than significant;

WHEREAS, the MND was noticed and circulated for public comment according to CEQA's procedures; and

WHEREAS, the District received six comments that do not constitute a fair argument that the Proposed Project, as mitigated, would potentially cause a significant environmental impact. The public comments included concerns about piecemealing this Proposed Project and other District school projects. However, Ascent addressed these concerns in responses to comments

contained in the Final MND by clarifying that this Proposed Project and other District school projects are not related and have independent utility. Further, each project is a separate and distinct school site with completely different students, staff, faculty, and location, and that the potential cumulative impacts were analyzed in the MND and found to be less than cumulatively considerable. Other comments were made about contamination and noise concerns, which the responses addressed to demonstrate that the Proposed Project, as mitigated, would not potentially create a significant environmental impact. The responses merely provide further data and analysis that clarifies or elaborates upon the findings in the MND. Ascent made minor revisions to the text of the MND that are intended to clarify or elaborate upon the findings in the MND and do not constitute a substantial revision of the MND.

NOW, THEREFORE, BE IT RESOLVED, that based upon the whole of the administrative record, the MND, and the MMRP, the Santa Monica-Malibu Unified School District Board of Education ("Board") hereby finds the following:

1. That the above recitals are true and correct.
2. The Board has independently reviewed and considered the MND and Mitigation Monitoring and Reporting Program.
3. There is no fair argument or substantial evidence that the mitigated Project will have a potentially significant effect on the environment, and an environmental impact report is not required.
4. This Resolution wholly reflects the District's independent judgment and analysis.

BE IT FURTHER RESOLVED that the Board hereby adopts:

1. The MND prepared by Ascent dated January 2023.
2. The Project's Mitigation Monitoring and Reporting Program.

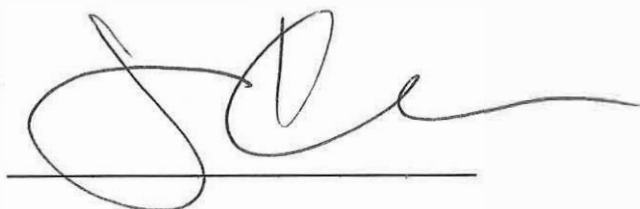
BE IT FURTHER RESOLVED that the Board hereby decides to carry out (i.e., approve) the Project.

BE IT FURTHER RESOLVED that the Interim Superintendent or designee serve as the custodian of the documents and other materials that constitute the record of proceedings upon which the Board's decision is based. The record of proceedings shall be maintained at the District's offices at 1651 Sixteenth Street, Santa Monica, California 90404.

BE IT FURTHER RESOLVED that the Board directs the Interim Superintendent or designee to file with the County Clerk and State Clearinghouse a Notice of Determination for the approval of the Project.


PASSED AND ADOPTED by the Santa Monica-Malibu Unified School District of Los Angeles County at its regularly scheduled meeting held on this 19 day of January 2023.

AYES: 17
NOES: 0
ABSTENTIONS: 0
ABSENT: 0

A handwritten signature in black ink, appearing to be "J. De...", written over a horizontal line.

Jon Kean, Acting President
Board of Education

I, Dr. Mark Kelly, Secretary of the Board of Education of the Santa Monica-Malibu Unified School District, do certify that the foregoing Resolution was regularly introduced, passed, and adopted by the Board of Education at its regularly scheduled board meeting held on this day of January 19, 2023.


Dr. Mark Kelly, Interim Superintendent
Santa Monica-Malibu
Unified School District