

Notice of Exemption

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

From: Miguel Cruz
Director III-Facilities, Maintenance, Operations and Transportation
Hayward Unified School District
24400 Amador Street
Hayward, CA 94544

County Clerk:
County Clerk - Assessor - Recorder - Elections
County of Alameda
1106 Madison Street
Oakland, CA 94607

Project Title: Hayward Unified School District Multi-Campus Classroom Upgrades Program

Project Applicant: Hayward Unified School District

Project Location – Specific:

The project includes five (5) Hayward Unified School District schools:

1. Cesar Chavez Middle School, 27845 Whitman Street, Hayward, CA 94544 (APN# 452-0061-120-02)
2. Treeview Elementary School, 30565 Treeview Street, Hayward, CA 94544 (APN# 083-0221-028-08)
3. Southgate Elementary School, 26601 Calaroga Avenue, Hayward, CA 94545 (APN# 455-0012-027-00)
4. Longwood Elementary School, 850 Longwood Avenue Hayward, CA 9454 (APN# 432-0044-061-00)
5. Ruus Elementary School, 28027 Dickens Avenue, Hayward, CA 94544 (APN# 464-0045-014-00)

Project Location – City: Hayward

Project Location – County: Alameda

Description of Setting:

The five proposed school sites are generally located in residential neighborhoods of the City Hayward.

- Cesar Chavez Middle School is adjacent to a single-family neighborhood across Whitman Street to the east. Higher-density multifamily housing border the campus to the north. A cluster of commercial land uses is located across Leidig Court to the west.
- Treeview Elementary School is mostly surrounded by single family homes. An area of undeveloped land is located beyond homes that border the school to the east.
- Southgate Elementary School is bordered by the City's Southgate Park to the south and east, and single-family homes to the north and west. Martin Luther King Middle School is located across Southgate Street to the southeast.
- Longwood Elementary School is west of the City's Longwood Park. Single-family residential neighborhoods border the campus to the north, south and west.
- Ruus Elementary School is north of the City's Ruus Park. Residential neighborhoods border the school to the north, west and east.

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Description of Nature, Purpose and Beneficiaries of Project:

Nature of the Project

The proposed project would include similar sets of utilities-related and minor physical upgrades at the five school sites. Portable classrooms would be installed on a temporary basis to accommodate existing students and teachers during the upgrade process.

The proposed project would not expand existing buildings, construct new buildings or accommodate increased student or staff capacity at any of the schools.

Project Purpose

The purposes of the proposed project are to:

- Improve indoor learning environments for all students and staff.
- Facilitate improved coordination and communication throughout different campus facilities at all five schools.
- Improve safety and emergency response for students and staff at all five schools.
- Increase the accessibility of classrooms for all students at all five schools.

Proposed Improvements

The proposed project would include the following primary improvements, limited to classrooms at each school:

- Replacement of and upgrades to finishes, including plaster and gypsum board, tiling, ceilings and acoustical ceilings.
- Furniture, casework and storage upgrades.
- New window treatments.
- New and upgraded fire suppression and fire-extinguishing systems.
- Electrical system upgrades.
- Communications systems, cabling and data systems upgrades.
- Replacement of HVAC equipment.
- Building access upgrades for ADA compliance.

None of the proposed improvements are intended to increase student or staff capacity.

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Name of Public Agency Approving Project: Hayward Unified School District

Name of Person or Agency Carrying Out Project: Hayward 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 14, Minor Additions to Schools (Section 15314)
- Statutory Exemptions. State code number:

Reasons why project is exempt:

Class 14, Minor Additions to Schools (Section 15314)

Class 14 consists of minor additions to existing schools within existing school grounds where the addition does not increase original student capacity by more than 25% or ten classrooms, whichever is less. The addition of portable classrooms is included in this exemption.

The proposed project would qualify for a Class 14 Categorical Exemption because it would not increase the number or size of classrooms or the existing student bodies of any of the five schools. The project would be limited to systems, utilities and surfaces-related upgrades and additions, all of which would target existing classroom buildings. Portable classrooms would be installed temporarily to ensure the continuity of learning programs and student safety during the upgrades. No new classrooms would be built and no new students accommodated.

Exceptions to Categorical Exemption Analysis

15300.2 Exceptions

(a) Cumulative Impact. All exemptions for these classes are inapplicable when the cumulative impact of successive projects of the same type in the same place, over time is significant.

This exception does not apply to the proposed project. In addition to the proposed project the District is planning the High School Modernization Pre-Construction Program, a separate program of similar upgrades (finishes, electrical, mechanical and other) and ADA-accessibility improvements at the following three existing high schools:

1. Mt. Eden High School, 2300 Panama Street, Hayward, CA, 94545 (APN# 455-72-94-1 and 463-1-1-2)
2. Tennyson High School, 27035 Whitman Street, Hayward, CA, 94544 (APN# 4520-0400-0201)
3. Hayward High School, 1633 East Avenue, Hayward, CA, 94541 (APN# 4260-1900-0100)

Like the proposed project, this program would not expand existing buildings, construct new buildings or increase student capacity.

Both of these projects would be limited to previously-developed school sites. Both are consistent with underlying land use and zoning. Neither would expand the number of classrooms or the student body of the respective schools. Tennyson High School and Cesar Chavez Middle School are 0.5 miles apart. This is the nearest distance between any of the project sites. This distance, combined with the fact that neither project would introduce new uses to their respective sites or accommodate population growth, negates the potential for significant cumulative impacts. Both projects would have no or less-than-significant impacts related to aesthetics; air quality; biological, cultural, tribal cultural and historic resources; geology; hazards materials,

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hydrology; population and housing; transportation; utilities and wildfire. This would result in less-than-significant cumulative impacts. Accordingly, this exception does not apply to the proposed project.

(b) Significant Effect. A categorical exemption shall not be used for an activity where there is a reasonable possibility that the activity will have a significant effect on the environment due to unusual circumstances.

This exception does not apply to the proposed project. The proposed project would be consistent with the underlying land use and existing land uses of every proposed site. It would not require grading activities, trenching, piling or construction; changes to site aesthetics; or improvements to site circulation, parking or right-of-way. The proposed project would not increase the total impervious surface of the site; nor would it result in an increase in population or housing. As described in Sections (c) through (e), there are no unusual circumstances at any of the school sites that would increase the possibility that the project would have significant aesthetic, agricultural, air quality, biological, cultural resources, hydrological, land use, hazards-related, transportation or other environmental effects.

(c) Scenic Highways. A categorical exemption shall not be used for a project which may result in damage to scenic resources, including but not limited to, trees, historic buildings, rock outcroppings, or similar resources, within a highway officially designated as a state scenic highway. This does not apply to improvements which are required as mitigation by an adopted negative declaration or certified EIR.

This exception does not apply to the proposed project. The California Department of Transportation (Caltrans) designates roadways that provide scenic views as official State Scenic Highways or Corridors.

No designated or eligible State Scenic Highways or routes are located in the vicinity of Cesar Chavez Middle School. The closest State designated Scenic Highway to the site is a segment of Interstate 580 (I-580) approximately 3.4 miles north of the school campus.¹ Due to the distance between I-580 and the project site and the nature of the project, the project would not be visible from I-580. The project site does not contain any other scenic resources, rock outcroppings, or unique features. Given this distance, the low vertical profile of the proposed project and the location of the project site on an existing school campus, this exception does not apply to the proposed project.

No designated or eligible State Scenic Highways or routes are located in the vicinity of Treeview Elementary School. The closest State designated Scenic Highway to the site is a segment of State Route 84 (SR 84) approximately 4.2 miles south of the school campus.² Due to the distance between SR 84 and the project site and the nature of the project, the project would not be visible from SR 84. The project site does not contain any other scenic resources, rock outcroppings, or unique features. Given this distance, the low vertical profile of the proposed project and the location of the project site on an existing school campus, this exception does not apply to the proposed project.

No designated or eligible State Scenic Highways or routes are located in the vicinity of Southgate Elementary School. The closest State designated Scenic Highway to the site is a segment of SR 84 approximately 6.5 miles southeast of the school campus.³ Due to the distance between SR 84 and the project site and the nature of the project, the project would not be visible from SR 84. The project site does not contain any other scenic resources, rock outcroppings, or unique features. Given this distance, the low vertical profile of the proposed project and the location of the project site on an existing school campus, this exception does not apply to the proposed project.

No designated or eligible State Scenic Highways or routes are located in the vicinity of Longwood Elementary School. The closest State designated Scenic Highway to the site is a segment of SR-84 approximately 9 miles south of the school campus.⁴ Due to the distance between SR 84 and the project site and the nature of the project, the project would not be visible from SR-84. The project site does not contain any other scenic resources, rock outcroppings, or unique features. Given this distance,

¹ California Department of Transportation, State Scenic Highway Map web page, <https://caltrans.maps.arcgis.com/apps/webappviewer/index.html?id=465dfd3d807c46cc8e8057116f1aaca>, accessed August 22, 2022

² Ibid.

³ Ibid.

⁴ Ibid.

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the low vertical profile of the proposed project and the location of the project site on an existing school campus, this exception does not apply to the proposed project.

No designated or eligible State Scenic Highways or routes are located in the vicinity of Ruus Elementary School. The closest State designated Scenic Highway to the site is a segment of SR 84 approximately 6 miles south of the school campus.⁵ Due to the distance between SR 84 and the project site and the nature of the project, the project would not be visible from SR 84. The project site does not contain any other scenic resources, rock outcroppings, or unique features. Given this distance, the low vertical profile of the proposed project and the location of the project site on an existing school campus, this exception does not apply to the proposed project.

(d) Hazardous Waste Sites. A categorical exemption shall not be used for a project located on a site which is included on any list compiled pursuant to Section 65962.5 of the Government Code.

This exception does not apply to the proposed project. None of the five school sites is included on any list compiled pursuant to Section 65962.5 and therefore none would pose an environmental hazard to surrounding sensitive uses. In meeting the provisions in Government Code Section 65962.5, commonly referred to as the "Cortese List," a series of database resources provide information regarding identified facilities or sites. These include the Department of Toxic Substances Control (DTSC) EnviroStor database and the California State Water Resources Control Board (WRCB) GeoTracker database.

Cesar Chavez Middle School

Per the California State Water Resources Control Board GeoTracker database, there are no hazardous waste sites on Cesar Chavez Middle School campus. The only site within 1,000 feet of the school is the Chevron gasoline station at 71 West Tennyson Road, which is identified as Leaking Underground Storage Tank (LUST) Cleanup Site whose status is "Completed-Case Closed" as of 2008.⁶ 71 West Tennyson Rd is also the site of a 2020 Voluntary Remedial Action Agreement between the Alameda County Health Care Services Agency and the property owner, to investigate the extent of soil and groundwater contamination at the site.⁷ The site is approximately 900 feet from the school.

According to the Department of Toxic Substances Control EnviroStor tracking system, there are no federal Superfund, State response, voluntary cleanup, tiered permit, corrective action, hazardous waste permit, or monitoring wells within 1,000 feet of the Cesar Chavez Middle School site.⁸

The project site is not on any list compiled pursuant to Section 65962.5 of the California Government Code.

Treeview Elementary School

Per the California State Water Resources Control Board GeoTracker database, there are no hazardous waste sites on the Treeview Elementary School campus or within 1,000 feet of the school.⁹

According to the Department of Toxic Substances Control EnviroStor tracking system, there are no federal Superfund, State response, voluntary cleanup, tiered permit, corrective action, hazardous waste permit, or monitoring wells within 1,000 feet of the Treeview Elementary School site.¹⁰

⁵ Ibid.

⁶ California State Water Resources Control Board, GeoTracker webpage, https://geotracker.waterboards.ca.gov/profile_report.asp?global_id=T10000014053, accessed August 22, 2022.

⁷ Ibid.

⁸ California Department of Toxic Substances Control, EnviroStor webpage, <https://www.envirostor.dtsc.ca.gov/public/map/?myaddress=27845+Whitman+Street%2C+hayward+ca>, accessed August 22, 2022.

⁹ California State Water Resources Control Board, GeoTracker webpage, <https://geotracker.waterboards.ca.gov/map/?CMD=runreport&myaddress=30565+Treeview+Street%2C+Hayward%2C+CA+94544+>, accessed August 22, 2022.

¹⁰ California Department of Toxic Substances Control, EnviroStor webpage,

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The project site is not on any list compiled pursuant to Section 65962.5 of the California Government Code.

Southgate Elementary School

Per the California State Water Resources Control Board GeoTracker database, there are no hazardous waste sites on the Southgate Elementary School campus or within 1,000 feet of the school.¹¹

According to the Department of Toxic Substances Control EnviroStor tracking system, there are no federal Superfund, State response, voluntary cleanup, tiered permit, corrective action, hazardous waste permit, or monitoring wells within 1,000 feet of the Southgate Elementary School site.¹²

The project site is not on any list compiled pursuant to Section 65962.5 of the California Government Code.

Longwood Elementary School

Per the California State Water Resources Control Board GeoTracker database, there are no hazardous waste sites on the Longwood Elementary School campus or within 1,000 feet of the school.¹³

According to the Department of Toxic Substances Control EnviroStor tracking system, there are no federal Superfund, State response, voluntary cleanup, tiered permit, corrective action, hazardous waste permit, or monitoring wells within 1,000 feet of the Longwood Elementary School site.¹⁴

The project site is not on any list compiled pursuant to Section 65962.5 of the California Government Code.

Ruus Elementary School

Per the California State Water Resources Control Board GeoTracker database, there are no hazardous waste sites on the Ruus Elementary School campus or within 1,000 feet of the school.¹⁵

According to the Department of Toxic Substances Control EnviroStor tracking system, there are no federal Superfund, State response, voluntary cleanup, tiered permit, corrective action, hazardous waste permit, or monitoring wells within 1,000 feet of the Ruus Elementary School site.¹⁶

The project site is not on any list compiled pursuant to Section 65962.5 of the California Government Code.

Accordingly, this exception does not apply to the proposed project.

<https://www.envirostor.dtsc.ca.gov/public/map/?myaddress=30565+Treeview+St%2C+Hayward%2C+CA+94544%2C>, accessed August 2, 2022.

¹¹ California State Water Resources Control Board, GeoTracker webpage, <https://geotracker.waterboards.ca.gov/map/?CMD=runreport&myaddress=Hayward+High+School>, accessed August 9, 2022.

¹² California Department of Toxic Substances Control, EnviroStor webpage, <https://www.envirostor.dtsc.ca.gov/public/map/?myaddress=30565+Treeview+St%2C+Hayward%2C+CA+94544%2C> accessed August 22, 2022.

¹³ California State Water Resources Control Board, GeoTracker webpage, <https://geotracker.waterboards.ca.gov/map/?CMD=runreport&myaddress=850+Longwood+Avenue%2C+Hayward%2C+CA%2C+USA>, accessed August 22, 2022.

¹⁴ California Department of Toxic Substances Control, EnviroStor webpage, <https://www.envirostor.dtsc.ca.gov/public/map/?myaddress=850+Longwood+Avenue%2C+Hayward%2C+CA%2C+USA>, accessed August 22, 2022.

¹⁵ California State Water Resources Control Board, GeoTracker webpage, <https://geotracker.waterboards.ca.gov/map/?CMD=runreport&myaddress=28027+Dickens+Avenue%2C+Hayward%2C+CA+>, accessed August 22, 2022.

¹⁶ California Department of Toxic Substances Control, EnviroStor webpage, <https://www.envirostor.dtsc.ca.gov/public/map/?myaddress=28027+Dickens+Avenue%2C+Hayward%2C+CA+>, accessed August 22, 2022.

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(e) Historical Resources. A categorical exemption shall not be used for a project which may cause a substantial adverse change in the significance of a historical resource.

Cesar Chavez Middle School is not listed on any national or state historic registers.¹⁷ The City of Hayward property database lists "Historic Resources" as "None" for the parcel.¹⁸

Treeview Elementary School is not listed on any national or state historic registers.¹⁹ The City of Hayward property database lists "Historic Resources" as "None" for the parcel.²⁰

Southgate Elementary School is not listed on any national or state historic registers.²¹ The City of Hayward property database lists "Historic Resources" as "None" for the parcel.²²

Longwood Elementary School is not listed on any national or state historic registers.²³ The City of Hayward property database lists "Historic Resources" as "None" for the parcel.²⁴

Ruus Elementary School is not listed on any national or state historic registers.²⁵ The City of Hayward property database lists "Historic Resources" as "None" for the parcel.²⁶

The proposed project would not cause a substantial adverse change in the significance of a historic resource. This exception does not apply to the project.

¹⁷ California Office of Historic Preservation, California Historical Landmarks by County web page, https://ohp.parks.ca.gov/?page_id=21388, accessed August 9, 2022.

¹⁸ City of Hayward, GIS Web Map page, <http://webmap.hayward-ca.gov/>, accessed August 9, 2022.

¹⁹ California Office of Historic Preservation, California Historical Landmarks by County web page, https://ohp.parks.ca.gov/?page_id=21388, accessed August 9, 2022.

²⁰ City of Hayward, GIS Web Map page, <http://webmap.hayward-ca.gov/>, accessed August 9, 2022.

²¹ California Office of Historic Preservation, California Historical Landmarks by County web page, https://ohp.parks.ca.gov/?page_id=21388, accessed August 9, 2022.

²² City of Hayward, GIS Web Map page, <http://webmap.hayward-ca.gov/>, accessed August 9, 2022.

²³ California Office of Historic Preservation, California Historical Landmarks by County web page, https://ohp.parks.ca.gov/?page_id=21388, accessed August 9, 2022.

²⁴ City of Hayward, GIS Web Map page, <http://webmap.hayward-ca.gov/>, accessed August 9, 2022.

²⁵ California Office of Historic Preservation, California Historical Landmarks by County web page, https://ohp.parks.ca.gov/?page_id=21388, accessed August 9, 2022.

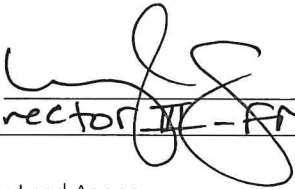
²⁶ City of Hayward, GIS Web Map page, <http://webmap.hayward-ca.gov/>, accessed August 9, 2022.

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Lead Agency Contact Person: Miguel Cruz, Director III- Facilities, Maintenance, Operations and Transportation
Area Code/Telephone/Extension: (510) 784-2600 Ext. 72800

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: 11/7/22
Title: Director III - FMOT

- Signed by Lead Agency
 Signed by Applicant

Authority cited: Sections 21083 and 21110, Public Resources Code. Date Received for filing at OPR: _____
Reference: Sections 21108, 21152, and 21152.1, Public Resources Code.

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