

NOTICE OF EXEMPTION

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

From: Brea Olinda Unified School District
1 Civic Center Circle, Level 2
Brea, CA 92821

County Clerk
County of Orange
12 Civic Center Plaza, Room 101
Santa Ana, CA 92701

Mariposa Elementary School Security Fencing Project
Project Title

1111 Mariposa Drive
Project Location - Specific

Brea
Project Location - City

Orange
Project Location - County

The proposed project consists of the installation of security fencing surrounding the campus and the restriction of access to one main entrance during school hours. Increased security from the proposed project will benefit school students, staff, and visitors.

Description of Nature, Purpose, and Beneficiaries of Project

Brea Olinda Unified School District
Name of Public Agency Approving Project

Brea Olinda Unified School District
Name of Person or Agency Carrying Out Project

Exempt Status: (check one below)

- 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 1, CCR §15301, *Existing Facilities*; Class 2, CCR §15303, *Replacement or Reconstruction*, and Class 3, CCR §15303, *New Construction or Conversion of Small Structures*
- Statutory Exemptions. State code number: _____

The proposed project involves installing improved security fencing surrounding the campus. In the minutes before and after school, access will be permitted at six entry points. During school hours, all access will be directed to one access point for entry and visitors are required to log-in/log-out. No expansion of existing school capacity or changes in facility use will occur.

The project is exempt from CEQA under Sections 15301, 15302, and 15303. No new building construction or substantial upgrades to campus facilities will occur. No changes in student capacities or square footage increases will occur. The general elementary school use of the facility will stay the same under the proposed project. The proposed project qualifies for an exemption under Section 15301 as the replacement fencing involves "minor alteration of public ... structures." The proposed project involves "replacement or reconstruction" of existing structures, qualifying the project for a Class 2 exemption (Section 15302). The proposed project also qualifies for an exemption under Class 3, Section 15303, as security fencing are "accessory structures."

The proposed project was reviewed for possible exceptions under Section 15300.2 and no exceptions were found to apply. The Attachment to Notice of Exemption is available at the District Office, for further explanation of the evaluation.

Reasons why project is exempt

Richard Champion, Assistant Superintendent, Business 714-990-7828

Contact Person

Area Code/Telephone/Extension

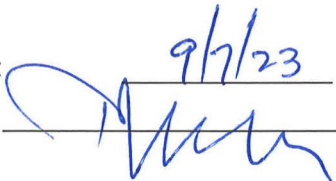
If filed by applicant:

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

Date Received for Filing:

9/7/23

Signature:



Title: Assistant Superintendent, Business

Attachment to Notice of Exemption
MARIPOSA ELEMENTARY SCHOOL SECURITY FENCING PROJECT
Brea Olinda Unified School District
SUPPLEMENTAL INFORMATION

The Brea Olinda Unified School District (District) proposes to upgrade facilities at Mariposa Elementary School by providing enhanced security fencing. This supplemental information provides justification for the Categorical Exemption pursuant to the California Environmental Quality Act (CEQA) Guidelines under California Code of Regulations, Title 14 § 15301, 15302, and 15303.

1. EXISTING CONDITIONS

PROJECT LOCATION

The project site is at Mariposa Elementary School at 1111 Mariposa Drive, City of Brea, Orange County. The campus is approximately 1 mile west of State Route 57 (Orange Freeway). The Mariposa campus is bordered by residences along Ponderosa Avenue to the northeast, Mariposa Drive to the east and south, and residences along Tamarack Avenue to the west and northwest.

EXISTING CONDITIONS

Mariposa Elementary School is a Kindergarten through 6th grade public school with a 2022/2023 enrollment of 557 students, according to the California Department of Education (CDE 2023). The 9.2-acre campus is currently developed with seven classroom buildings, six portable buildings, five play yards, two basketball courts, and a volleyball court.

Main vehicular access to the parking lots and student drop-off zone is provided from Mariposa Drive. The campus provides two parking lots totaling 54 stalls.

SURROUNDING LAND USES

The campus is bordered by single-family residential homes on all sides.

2. PROJECT DESCRIPTION

The District proposes to install improved security fencing surrounding the campus. The new fencing will be an 8-foot-tall ornamental metal fence between the parking lot and campus buildings (see Figure 1, *Proposed Site Plan*). Access will be limited to six entry points in the minutes before and after school hours. During school hours, all access will be directed to one access point for entry and visitors are required to log-in/log-out.

The proposed project will not increase student capacity and will not alter the parking lots or the student drop-off zone. The designated drop-off zone will still exist with implementation of the proposed project. The proposed fencing will increase the walking distance between campus entry points and parking lots, or from street parking networks and those walking from home. Restriction of access points may be motivation to drop off students near the entry points for some, while others will choose to avoid congestion. It is anticipated that these differing forces will result in circulation and travel characteristics that are similar to existing conditions.

CONSTRUCTION

Construction of fencing will occur on the school campus. Construction activities are proposed during summer months to minimize conflicts with school activities. School administration and the construction contractor will work together

to coordinate and stay informed about construction activities, location, and schedule. Contractors will adhere to construction noise regulations to minimize campus disturbances.

3. REASONS WHY THE PROJECT IS EXEMPT

The proposed project is exempt from further environmental review under the requirements of the California Environmental Quality Act (Public Resources Code § 21000 et seq.) because it is consistent with Class 1, *Existing Facilities*; Class 2, *Replacement or Reconstruction*; and Class 3, *New Construction or Conversion of Small Structures*, as explained below.

- » **Class 1, *Existing Facilities* (CEQA Guidelines § 15301)** 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. The key consideration is whether the project involves negligible or no expansion of an existing use.
- » **Class 2, *Replacement or Reconstruction* (CEQA Guidelines § 15302)** consists of replacement or reconstruction of existing structures and facilities where the new structure will be located on the same site as the structure replaced and will have substantially the same purpose and capacity of the structure replaced.
- » **Class 3, *New Construction or Conversion of Small Structures* (CEQA Guidelines § 15303)** consists of construction and location of limited numbers of new, small facilities or structures; installation of small new equipment and facilities in small structures; and the conversion of existing small structures from one use to another where only minor modifications are made in the exterior of the structure. The numbers of structures described in this section are the maximum allowable on any legal parcel. Examples of this exemption include, but are not limited to:

(e) Accessory (appurtenant) structures including garages, carports, patios, swimming pools, and fences.

The proposed project involves the installation of security fencing and the restriction of campus access points and qualifies for an exemption under Class 1, Class 2, and Class 3 as described above. No new building construction or substantial updates to campus facilities will occur. No changes in student capacities or square footage increases will occur. The general elementary school use of the facility will stay the same under the proposed project. The proposed project qualifies for an exemption under Class 1 as it involves “minor alteration of public ... structures.” The proposed project involves “replacement or reconstruction” of existing structures, qualifying project for a Class 2 exemption. The proposed project also qualifies for an exemption under Class 3, as security fencing qualifies as accessory structures.

4. REVIEW OF EXCEPTIONS TO THE CATEGORICAL EXEMPTION

The proposed project has been reviewed under CEQA Guidelines § 15300.2, *Exceptions*, for any characteristics or circumstances that might invalidate findings that the project is exempt from CEQA. Each exception is listed below followed by an assessment of whether that exception applies to the proposed project.

- (a) **Location.** Classes 3, 4, 5, 6, and 11 are qualified by consideration of where the project will be located—a project that is ordinarily insignificant in its impact on the environment may in a particularly sensitive environment be significant. Therefore, these classes are considered to apply all instances, except where the project may impact on an environmental resource of hazardous or critical concern where designated, precisely mapped and officially adopted pursuant to law by federal, state, or local agencies.

The project site is on an existing school campus surrounded by a developed community. The campus has buildings, asphalt hardcourts and parking lots, concrete driveways and walkways, grass playfields, and ornamental landscaping. Due to the school's developed nature and frequent human disturbance, it does

not contain any sensitive biological species or habitat. No mapped wetlands exist on the project site (FWS 2005). Additionally, there is no evidence of hazardous materials or substances (see section (e) below). Therefore, this exception does not apply to the proposed project.

- (b) Cumulative Impacts.** 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.

The proposed project involves minor alterations to the project site by installing improved security fencing. Several other District projects are currently underway at nearby schools, including modernization projects and security fencing. However, the nearest school to the project site is Falcon Elementary School, which is approximately 0.7 miles southeast. These security fencing projects involve very limited construction and as such, the projects at nearby schools will not create a cumulative impact under CEQA.

The loss of access to recreational facilities is considered a social issue under CEQA. An environmental impact will occur only if the project results in other recreational facilities receiving such an increase in use that there was a physical deterioration in those facilities. Immediately northwest of the project site is a joint-use park. As shown in Figure 1, the community will continue to have access to the park. There will be no other changes to the campus under the proposed project, and no changes in student capacity or operations will occur. This exception does not apply to the proposed project.

- (c) Significant Effects.** 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.

The project site is on a currently occupied school campus and surrounded by development. There is no reasonable possibility that the proposed project will have a significant effect on the environment due to unusual circumstances. Proposed improvements will not alter the capacity of the campus or existing uses. The construction manager will execute construction per current local, state, and federal laws, regulations, construction Best Management Practices, District standards and guidelines. Implementation of the proposed fencing is not expected to adversely affect circulation in and surrounding the campus. Therefore, this exception does not apply to the proposed project.

- (d) 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.

There are no designated State scenic highways near the school campus. According to the California Department of Transportation California State Scenic Highway Map, the closest eligible state scenic highway is State Route 57 (Orange Freeway), approximately 1 mile east of the school (Caltrans 2019). The proposed project will not affect this highway due to distance, intervening development, and topography obscuring the school from the highway. The proposed project will not affect scenic resources along any officially designated or eligible scenic highways. Therefore, this exception does not apply to the proposed project.

- (e) 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 Government Code § 65962.5.

California Government Code § 65962.5 requires the compiling of lists of the following types of hazardous materials sites: hazardous waste facilities subject to corrective action; hazardous waste discharges for

which the State Water Quality Control Board has issued certain types of orders; public drinking water wells containing detectable levels of organic contaminants; underground storage tanks with reported unauthorized releases; and solid waste disposal facilities from which hazardous waste has migrated.

Five environmental databases were searched for hazardous materials sites and within a quarter mile radius:

- » GeoTracker. State Water Resources Control Board (SWRCB 2023)
- » EnviroStor. Department of Toxic Substances Control (DTSC 2019)
- » EJScreen. US Environmental Protection Agency (USEPA 2023)
- » EnviroMapper. US Environmental Protection Agency (USEPA n.d.)
- » Solid Waste Information System. California Department of Resources Recycling and Recovery (CalRecycle 2019)

While GeoTracker identified one cleanup program site and two leaking underground storage tanks (LUST) cleanup sites within 0.25 miles of the school campus, all these cases have been closed and the project site itself is not on a hazardous materials site. The site is not identified on any of the other lists; therefore, the project site is not identified as a hazardous materials site pursuant to Government Code § 65962.5 and the proposed project will not create a hazard to the public. This exception does not apply to the proposed project.

- (f) Historical Resources.** A categorical exemption shall not be used for a project which may cause a substantial adverse change in the significance of historical resources. Under Public Resource Code § 21084.1, a historical resource is a resource listed in or determined to be eligible for listing in the California Register of Historical Resources. Additionally, historical resources included in a local register of historical resources are presumed to be historically or culturally significant, and a lead agency can determine whether the resource may be an historical resource.

There are no historic resources on the campus that are listed on the National Register of Historic Places (NPS 2020), the California Register of Historical Resources (OHP 2023), or as a California State Historical Landmark (OHP 2023). Implementation of the proposed project will not cause significant impacts to historical resources, and the historical resources exception does not apply to this project site.

5. CONCLUSION

The proposed project at Mariposa Elementary School is exempt from CEQA review pursuant to CEQA Guidelines § 15301, 15302, and 15303. As substantiated in this document, the proposed project does not meet the conditions specified in § 15300.2 of the CEQA Guidelines, and the project is categorically exempt under Class 1, Class 2, and Class 3.

6. REFERENCES

California Department of Education (CDE). 2023. DataQuest. Enrollment Report. 2022-2023 Enrollment by Grade. Mariposa Elementary Report (30-66449-6027460).
<https://data1.cde.ca.gov/dataquest/dqcensus/EnrGrdLevels.aspx?cds=30664496027460&aggllevel=school&year=2022-23>

California Department of Resources Recycling and Recovery (CalRecycle). 2019. SWIS Facticity/Site Search.
<https://www2.calrecycle.ca.gov/SolidWaste/Site/Search>.

California Department of Transportation (Caltrans). 2019. California State Scenic Highway System Map.
<https://caltrans.maps.arcgis.com/apps/webappviewer/index.html?id=465dfd3d807c46cc8e8057116f1aaca>
a.

Department of Toxic Substances Control (DTSC). 2023. EnviroStor. <http://www.envirostor.dtsc.ca.gov/public/>.

National Park Service (NPS). 2020, September. National Register of Historic Places.
<https://www.nps.gov/maps/full.html?mapId=7ad17cc9-b808-4ff8-a2f9-a99909164466>.

Office of Historic Preservation (OHP). 2023. California Historical Resources.
<https://ohp.parks.ca.gov/ListedResources/?view=county&criteria=30>.

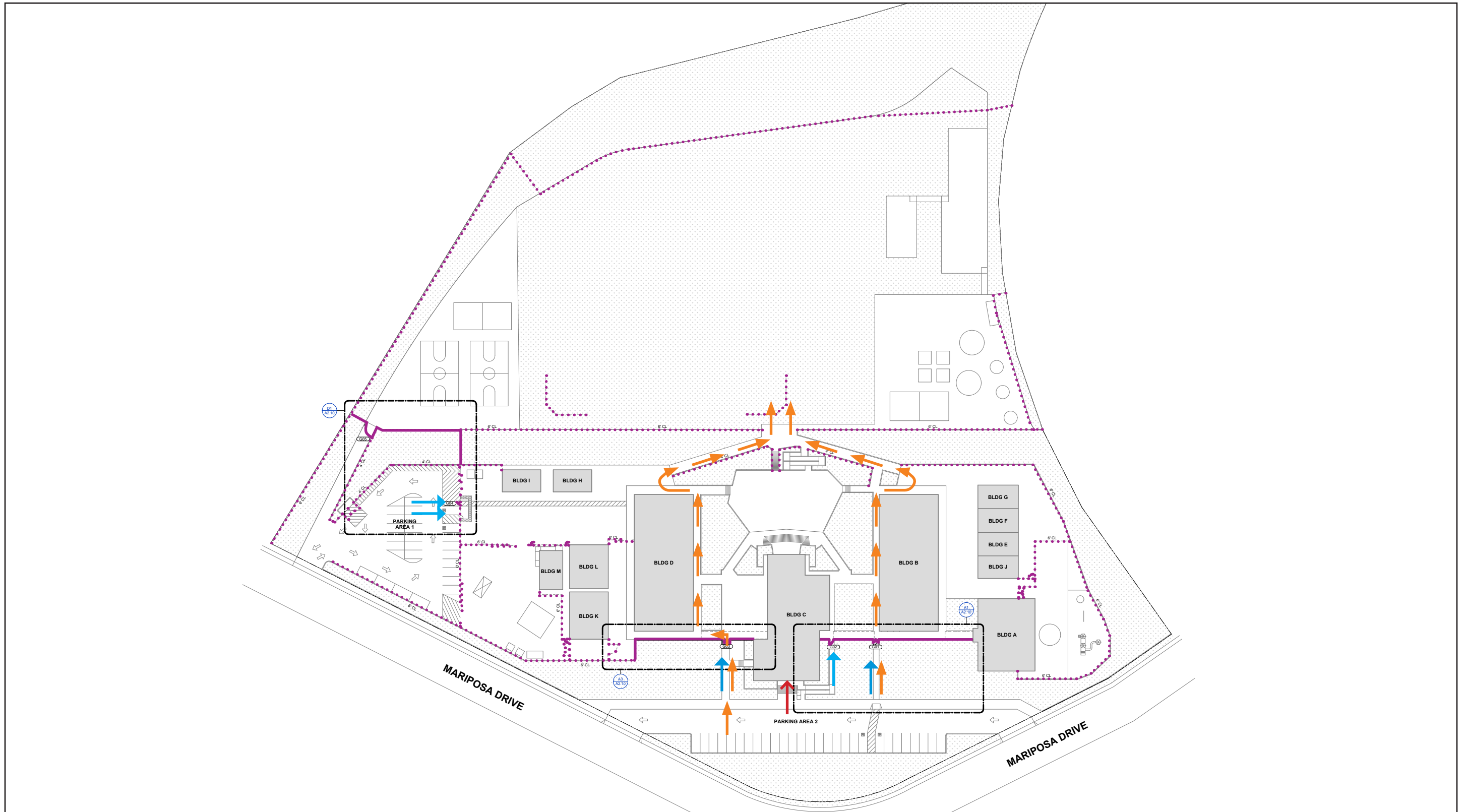
State Water Resources Control Board (SWRCB). 2023. GeoTracker. <http://geotracker.waterboards.ca.gov/>.

US Environmental Protection Agency (USEPA). 2023. EJScreen. <https://ejscreen.epa.gov/mapper/>.

US Environmental Protection Agency (USEPA). n.d. EnviroMapper for Envirofacts.
<https://enviro.epa.gov/enviro/em4ef.home>.

U.S. Fish & Wildlife Service (FWS). 2005. National Wetlands Inventory.
<https://fwsprimary.wim.usgs.gov/wetlands/apps/wetlands-mapper/>.

Figure 1 - Proposed Site Plan



→ Main Security Entry (only entry during school hours)

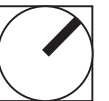
→ Available Student/Pedestrian Access (just before and after school hours)

→ Community Access Route

— Fence (New)

⋯ Fence (Existing)

0 100
 Scale (Feet)



Source: studio+, 2022.