

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: Los Angeles

12400 Imperial Highway

Norwalk, CA 90650

From: (Public Agency): Downey Unified School District
11627 Brookshire Avenue
Downey, CA 90241

(Address)

Project Title: Rio San Gabriel Elementary School New Construction and Modernization Project

Project Applicant: Not Applicable

Project Location - Specific:

Rio San Gabriel Elementary School - 9338 Gotham Street, Downey, CA 90242

Project Location - City: Downey Project Location - County: Los Angeles

Description of Nature, Purpose and Beneficiaries of Project:

Construction of a new administration building; reconfiguration of Student Wellness Support Services area; modernization of STEM library; modernization of school kitchen and multi-purpose room/cafeteria; construction of two new classroom buildings with seven new classrooms; modernization of twenty-five (25) existing classrooms; removal of ten (10) portable classroom units; addition of new drop-off and parking areas; addition of a shaded lunch shelter area; and the addition of new playground structures, hard court play areas, and new fencing throughout the school to benefit students of Rio San Gabriel Elementary School. See Attached Resolution.

Name of Public Agency Approving Project: Not Applicable

Name of Person or Agency Carrying Out Project: Downey 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 1-§15301, Class 3-§15303, Class 11-§15311; Class 14-§15314
- Statutory Exemptions. State code number: _____

Reasons why project is exempt:


The Proposed Project is determined to be Categorically Exempt pursuant to CEQA Guidelines Sections 15301 (Existing Facilities), 15303 (New Construction or Conversion of Small Structures), Sections 153011 (Accessory Structures) and/or 15314 (Minor Additions to Schools) because the modernization and new construction on the school site would involve negligible expansion of use beyond that already existing, include only a limited number of small new outdoor structures, facilities, and appurtenant parking areas, and would not increase student capacity. See Attached Resolution.

Lead Agency

Contact Person: Vince Madsen Area Code/Telephone/Extension: 10/6/23

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: 10/6/23 Title: Senior Director

▪ 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: _____

RESOLUTION NO. 202324-19

A RESOLUTION OF THE BOARD OF EDUCATION OF THE DOWNEY UNIFIED SCHOOL DISTRICT, LOS ANGELES COUNTY, CALIFORNIA, DETERMINING THAT THE RIO SAN GABRIEL ELEMENTARY SCHOOL NEW CONSTRUCTION AND MODERNIZATION PROJECT IS EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT, DECIDING TO CARRY OUT THE PROJECT, AND DIRECTING THE FILING OF A NOTICE OF EXEMPTION

WHEREAS, the Downey Unified School District (“District”) has developed the Rio San Gabriel Elementary School New Construction and Modernization Project (“Project”); and

WHEREAS, the Project is located within the existing school grounds of Rio San Gabriel Elementary School, located at 9338 Gotham Street, Downey, CA 90242 (“Site”); and

WHEREAS, the District, through the Project, seeks to enhance the learning environment for its students by providing modern classrooms that meet 21st century technology needs, while adding new security, technology, administrative and accessibility features throughout the school; and

WHEREAS, the District must comply with the California Environmental Quality Act (“CEQA”) for the Project before approving the Project; and

WHEREAS, the Project consists of the construction of a new administration building with a secured entry lobby, conference room, and expansion of the nurse area; reconfiguration of the Student Wellness Support Services area; modernization of the STEM library; modernization of the school kitchen and multi-purpose room/cafeteria, including construction of a new addition to the existing kitchen area; construction of two new classroom buildings with seven new classrooms; modernization of twenty-five (25) existing classrooms; removal of 10 portable classroom units; addition of a kinder drop-off area, parent drop-off area, bus drop-off area, staff parking area, visitor parking area, and kinder parking area; addition of a shaded lunch shelter area; and addition of new playground structures, hard court play areas, and new fencing throughout the school; 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, the Class 1 Categorical Exemption (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 existing or former use; and

WHEREAS, reconfiguration of the Student Wellness Support Services area; modernization of the STEM library; and modernization of the school kitchen and multi-purpose room/cafeteria, including construction of a new addition to the existing kitchen area, would only be minor alterations of existing public structures involving at most a negligible expansion of use beyond that previously existing; and

WHEREAS, the Class 3 Categorical Exemption (CEQA Guidelines, § 15303) applies to the construction and location of limited numbers of new, small facilities or structures, installation

of 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; and

WHEREAS, the construction of a shaded lunch shelter area, playground structures, hard court play areas, and new fencing would be construction of limited, new, small facilities or structures; and

WHEREAS, the Class 11 Categorical Exemption (CEQA Guidelines, § 15311) applies to the construction or placement of minor structures accessory or appurtenant to existing commercial, industrial, or institutional facilities, including signs and small parking lots; and

WHEREAS, the construction of a kinder drop-off area, parent drop-off area, bus drop-off area, staff parking area, visitor parking area, and kinder parking area would be minor accessory or appurtenant structures to the existing Site; and

WHEREAS, the Class 14 Categorical Exemption (CEQA Guidelines, § 15314) applies to minor additions to existing schools that do not increase student capacity by more than 25% or 10 classrooms, whichever is less; and

WHEREAS, the construction of a new administration building with a secured entry lobby, conference room, and expansion of the nurse area; reconfiguration of the Student Wellness Support Services area; modernization of the STEM library; modernization of the school kitchen and multi-purpose room/cafeteria, including construction of a new addition to the existing kitchen area; addition of a kinder drop-off area, a parent drop-off area, a bus drop-off area, a staff parking area, a visitor parking area, and a kinder parking area; addition of a shaded lunch shelter area; and addition of new playground structures, hard court play areas, and new fencing throughout the school will not increase capacity or add classrooms because these are support and recreational facilities and not classrooms; and

WHEREAS, the existing elementary school campus has thirty-five (35) classrooms, and the Project will modernize twenty-five (25) classrooms, add seven new classrooms, and remove 10 portable classrooms; and

WHEREAS, the Project will result in a net decrease of three classrooms on the Site, which will not increase capacity by more than 25% nor 10 classrooms; and

WHEREAS, CEQA Guidelines section 15300.2 provides six exceptions that would disqualify a project from being categorically exempt, which are: (1) for the Class 3 and Class 11 categorical exemptions, a project located within a particularly sensitive environmental location; (2) where the cumulative impact of successive projects of the same type, in the same place would be significant over time; (3) a significant environmental impact would occur due to unusual circumstances; (4) a project that would cause damage to scenic elements with a designated state scenic highway; (5) a project that is on a site designated as a Hazardous Waste Site; or (6) a project that causes a substantial adverse change to a historical resource; and

WHEREAS, the Project is not within a sensitive environmental location, as it is within an already established school campus surrounded by urban uses; and

WHEREAS, the Project is the only project of the same type at the same place. No other similar, successive projects are proposed near the Site; and

WHEREAS, there are no known unusual circumstances that would be caused by the modernization of an established school campus; and

WHEREAS, the Project is not within or near a designated state scenic highway (<https://www.arcgis.com/apps/webappviewer/index.html?id=465dfd3d807c46cc8e8057116f1aacaa>); and

WHEREAS, the Site is not on a site designated as a Hazardous Waste Site; and


WHEREAS, as there are no designated historical resources on the Site, the Project would not cause a substantial adverse change to a historical resource.

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

- Section 1.** The foregoing recitals are true and correct.
- Section 2.** The Project meets the definition of the Class 1, Class 3, Class 11, and Class 14 Categorical Exemptions. (CEQA Guidelines, §15301, §15303, §15311, and §15314.)
- Section 3.** None of the exceptions under CEQA Guidelines in §15300.2 apply here.
- Section 4.** The applicable requirements of CEQA have been fulfilled for the Project.
- Section 5.** The Board hereby separately and finally decides to carry out the Project.
- Section 6.** The Superintendent or the Superintendent’s designee is authorized and directed to file the attached Notice of Exemption for the Project with the Los Angeles County Clerk within five (5) days of the adoption of this Resolution.

PASSED AND ADOPTED this 3rd day of October 2023, by the Governing Board of the Downey Unified School District of Los Angeles County, California, by the following vote:

AYES: 7
NOES: —
ABSENT: —
ABSTENTIONS: —


Linda Salomon Saldaña
Clerk, Board of Education of the
Downey Unified School District