

NOTICE OF EXEMPTION

To: County Clerk, Peter Aldana
County of Riverside
4080 Lemon Street, 1st Floor
Riverside, CA 92501

From: Menifee Union School District
29775 Haun Road
Menifee, CA 92584

Riverside County Planning Department
4080 Lemon Street, 12th Floor
Riverside, CA 92502-1409

Project Title:

Conversion of Hans Christensen Middle School from 6th through 8th Grade to Transitional Kindergarten through 8th grade.

Project Location - Specific:

27625 Sherman Road, Menifee, CA

Project Location – City: Menifee

Project Location – County: Riverside

Description of Nature, Purpose and Beneficiaries of Project:

The proposed project consists of implementing the state requirement to offer full-time kindergarten and transitional kindergarten classes at the Hans Christensen Middle School (HCMS). The project would add 5 new classrooms for Transitional Kindergarten (TK) and full-time Kindergarten (K) classrooms, as well as convert HCMS from 6th through 8th grade to TK through 8 grades. Construction is expected to begin in August 2024 and be complete by August 2025.

Name of Public Agency Approving Project:

Menifee Union School District

Name of Person or Agency Carrying Out Project:

Menifee Union School District

Exempt Status:

- 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 – Existing Facilities (CEQA Guidelines Section 15301), and Class 14 - Minor Additions to Schools (CEQA Guidelines Section 15314)
- Statutory Exemption: (PRC Section 21080.23, CEQA Guidelines Section 15284)

Reasons why project is exempt:

See the Attachment for a discussion on why the project meets the requirements for categorical exemptions under CEQA Guidelines Sections 15301 and 15314.

Lead Agency Contact Person:

Kyle Dee

Telephone:

951-672-1851

If filed by applicant:

1. Attached certified document of exemption findings
2. Has NOE been filed by the public agency approving the project? Yes No

Agency Representative Signature:  Date: 04/24/2024 Title: Director of Facilities

- Signed by Lead Agency
- Signed by Applicant

Date Received for Filing at OPR _____

CATEGORICAL EXEMPTION

HANS CHRISTENSEN MIDDLE SCHOOL IMPROVEMENT PROJECT

This document assesses the use of a categorical exemption in the California Environmental Quality Act (CEQA) for the addition of five new classrooms to provide full-time kindergarten and transitional kindergarten to the Hans Christensen Middle School (HCMS), under California Public Resources Code Section 21084 and CEQA Guidelines Sections 15301 and 15314 (California Code of Regulations Title 14 Sections 15000 et seq.). In addition, the project would convert HCMS from a 6th through 8th grade to a TK through 8th grade school.

1.0 PROJECT BACKGROUND INFORMATION

The Menifee Union School District (MUSD or District) is proposing improvements to HCMS, located in Menifee, California (the proposed project), which opened in July 2009.

The District is proposing to add 5 new classrooms to the existing HCMS to provide Transitional Kindergarten (TK) for four-five year olds, often referred to as preschool. The District is also proposing some of the new classrooms to support the state mandate that requires school districts to provide a full day kindergarten schedule, rather than the more standard half-day for kindergarten students. To accommodate the increase in students, 5 new classrooms at HCMS are being proposed. In addition, due to declining enrollment, rather than being a 6-8 grade middle school, the enrollment of the school will be changed to TK through 8th grades.

1.1 PROJECT LOCATION AND ZONING

HCMS consists of approximately 20 acres of property. Regional access to the site is provided from McCall Boulevard to Sherman Road, which is approximately 0.5 mile east of Interstate 215. The school site is designated for Public/Quasi Public Facilities school uses in the Menifee General Plan (City of Menifee, 2023).

Historical uses of the project site consisted of agricultural, i.e., dry grain farming, i.e., wheat, barley and safflower from at least 1928 until after 1961, and from 2004 to 2006. Land use west of HCMS site is zoned for residential uses (20.1-24 dwelling units/acre). Land use to the west and south of the school site is designed as the McCall Economic Development Zone and is largely commercial. Land to the north and west of the school site is currently undeveloped but is part of the Legado Specific Plan, which is largely planned for medium density residential development, with commercial development adjacent to Encanto Drive and the 215 Freeway. A community park is planned immediately west and adjacent to HCMS.

1.2 EXISTING FACILITIES

The HCMS contains a central main school building consisting of single-story classrooms and administration buildings, for a total of 37 classrooms. The existing school contains a multi-purpose room and library, as well as recreational areas including basketball courts, softball/baseball fields, and a track and field. Student drop-off and pick-up areas are provided via Sherman Road. Parking is provided in a parking lot with canopies of solar panels, adjacent to Sherman Road. A smaller parking lot is located adjacent to Shadel Road.

1.3 SCHOOL ENROLLMENT AND CAPACITY

HCMS currently provides education for grades 6 through 8 and had an enrollment of 663 students in the 2022 - 2023 school year. Table 1 shows student enrollment at the school averaged approximately 836 students per year, over the last 10 years. The school opened as a Grade 6 through 8th school in July 2009.

TABLE 1

Hans Christensen Middle School Enrollment History

SCHOOL YEAR	ENROLLMENT
2022-2023	663
2021-2022	725
2020-2021	710
2019-2020	744
2018-2019	780
2017-2018	781
2016-2017	816
2015-2016	804
2014-2015	805
2013-2014	814
10-Year Average Enrollment	764

Source: CDE, 2024

Although the enrollment was 663 in 2022/2023, it should be noted that current enrollment at HCMS (school year 2023/2024) is approximately 350 students. The enrollment at HCMS has decreased substantially due to the opening of another middle school in the District.

2.0 PROJECT DESCRIPTION

The District is proposing improvements to HCMS that would add facilities at the school to implement the state requirement to offer full-time kindergarten classes and transitional kindergarten classes for all four-year olds by 2025-2026.

The project would add five modular transitional kindergarten classrooms within the confines of the existing school site on the north side of the campus, adjacent to the track and field. In addition, a kinder playground with artificial turf and new hardscape will be added adjacent to the new classrooms. The site for the new classrooms is flat, has been graded as part of the existing school site and consists of existing hardscape (e.g., basketball courts) on the northern of the school site. Construction activities are expected to begin in August 2024 and be completed by August 2025.

3.0 CEQA EVALUATION

3.1 CLASS 1 EXEMPTION – EXISTING FACILITIES

A Class 1 Exemption (CEQA Section 15301 – Existing Facilities) applies to 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.” The key consideration is whether the project involves negligible or no expansion of use and includes “additions to existing structures provided that the addition will not result in an increase of more than” 10,000 square feet if: (a) the project is in an area where all public services and facilities are available to allow for maximum development permissible in the General Plan; and (b) the area in which the project is located is not environmentally sensitive (CEQA Section 15301(e)(2)).

The project will add five classrooms which are expected to be 1,440 square feet each or a total of 7,200 square feet (i.e., less than 10,000 square feet). The school is located within an area that is currently supplied with all public facilities including electricity, natural gas, roads, etc. and would not require the construction of new public facilities. The new classrooms will be located within the existing school site, which is graded and paved, and only landscape vegetation exists. Therefore, the project would not be located within an environmentally sensitive area.

The school site is designated for Public/Quasi Public Facilities school uses in the Menifee General Plan (City of Menifee, 2023). The continued use of the site for school purposes is consistent with Menifee General Plan and HCMS is currently served by all public services.

Therefore, the project represents a negligible expansion of the existing use and the proposed modifications to HCMS are considered to be exempt per CEQA Guidelines Section 15301 Class 1 exemption for the following reasons:

- (1) The proposed project will be located on the same site as the existing school site.
- (2) The new classrooms and facilities will not result in a change in purpose and are being installed to comply with State mandates to provide full-time kindergarten and transitional kindergarten to all eligible students.
- (3) The project will result in an addition to the school of less than 10,000 square feet.

- (4) Sufficient public services are available to service the school site, and
- (5) The project will be located within the existing school site and is not located in an environmental sensitive area.

3.2 CLASS 14 EXEMPTION – MINOR ADDITIONS TO SCHOOLS

CEQA guidelines include exemptions for certain types of projects, including school projects. A Class 14 Exemption (CEQA Section 15314 – Minor Additions to Schools) applies to “minor additions to existing schools within existing school grounds where the addition does not increase original student capacity by more than 25% or 10 classrooms, whichever is less.”

The proposed project will result in the addition of five classrooms at the school site. The new classrooms will be located within the confines of the existing school site that has been graded and hardscape or dirt/landscaping currently exist. All of the proposed modifications to HCMS are within the confines of the existing school site. The District uses a classroom loading capacity of 30 students per classroom for grades 6 through 8, and a classroom loading factor of 26 for grades TK through 5. Assuming these loading factors, the increase in student capacity would be 122 students or an increase of 11 percent (see Table 2).

TABLE 2

Hans Christensen Middle School Current And Future Student Capacity

	No. of Classrooms	Student Design Capacity
Existing School	37⁽¹⁾	1,110
Proposed School Modifications:		
Grades 6-8	22 ⁽¹⁾	660
Grades TK-5	22 ⁽²⁾	572
	Total:	1,232
Percent Increase:		11%

- (1) Assumes student capacity of 30 per classroom.
- (2) Assumes student capacity of 26 per classroom.

Based on the above, the proposed project would result in a potential increase in student population of 11 percent. Therefore, the proposed modifications to HCMS are considered to be exempt per CEQA Guidelines Section 15314 Class 14 Exemption for the following reasons:

- (1) The proposed project would result in an increase in five classrooms at the school site, which is less than 10; and,
- (2) The increase in student capacity would be approximately 11 percent, which is less than 25 percent.

3.3 EXCEPTIONS TO CATEGORICAL EXEMPTIONS

CEQA Guidelines Section 15300.2, Exceptions, identifies conditions under which categorical exemptions would not be applicable. The proposed project has been reviewed under Section 15300.2 for characteristics or circumstances that might invalidate findings that the proposed project is exempt.

A. Location

CEQA Guidelines Section 15300.2(a) states that Class 3, 4, 5, 6, and 11 exemptions are qualified by consideration of whether the project is located in a uniquely sensitive environment, such that it impacts an environmental resource of hazardous or critical concern that has been designated, precisely mapped, and officially adopted pursuant to law by federal, state, or local agencies. This exception does not apply to the project as it is exempt under Classes 1 and 14 exemptions and all modifications would occur within an existing school campus where there are no known sensitive environmental conditions.

B. Cumulative Impact

Exemptions are not applicable when there is a significant cumulative impact of “successive projects of the same type in the same place over time.” Beyond the proposed project, the District is also adding full-time kindergarten and transitional kindergarten to all of its elementary schools. The District has or will construct improvements at other elementary schools within the District to handle the increase in student population created by the state mandates over a period of four years. The modifications began in October 2022 with five elementary schools (Evans Ranch, Harvest Hill STEAM Academy, Chester Morrison, Southshore, and Taawila) converting to transitional kindergarten and full-time kindergarten by August 2023. The remaining elementary schools would be upgraded beginning October 2025 and completed in August 2026. Overall, the District estimates it will require the construction of 64 transitional kindergarten and full-time kindergarten classroom buildings at 11 different elementary campuses, plus additional playground equipment, shade structures, and Americans with Disability Act upgrades.

The environmental effects caused by the construction of the transitional kindergarten and full-time kindergarten improvements would be expected to be limited to localized impacts, limited to construction activities, and not within range of project effects at the other school sites, e.g., traffic, noise, etc. The construction activities will be phased with ground work occurring at one school site at a time. Limited ground work will be required at each school as construction activities would occur within the confines of the existing school sites, which have already been graded and developed. Modular buildings are expected to be installed, which will largely be constructed off-site, and put into place at the school sites using cranes, once the foundations have been developed. Most of the onsite construction activities would be limited to installation of interior improvements, e.g., flooring, ceilings, electrical, plumbing, painting, cabinets, etc., which primarily require manual labor and minimal construction equipment. The improvements at each school site would comply with applicable local, state, and federal regulations and District best management practices.

Therefore, any potential overlap of construction activities would not result in significant adverse construction impacts and would not be cumulatively considerable.

The school improvements are required to comply with the state mandates to provide full-time kindergarten and transitional kindergarten for all eligible California students. The school improvements would not result in an increase in population in the Menifee area. The state mandates would increase the student population at each school site by providing transitional kindergarten for four-year olds, which is not currently required. Providing transitional kindergarten at the local elementary school sites is expected to make pre-school opportunities more available to the local communities, minimizing the need to travel to obtain pre-school education. The proposed project is not expected to result in cumulative impacts within the school district. Therefore, this exception does not apply to the proposed project.

C. Significant Effects

A categorical exemption cannot 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 (CEQA Guidelines Section 15300.2(c)). The determination whether this exception applies involves two distinct questions: (1) whether the project presents unusual circumstances, and (2) whether there is a reasonable possibility that a significant environmental impact will result from those unusual circumstances. The lead agency considers the second prong of this test only if it first finds that some circumstance of the project is unusual. *Berkeley Hillside Preservation v. City of Berkeley* (2015) 60 C4th 1086, 1104.

The proposed facility improvements at HCMS are not unusual. The proposed project, including new buildings, would be confined to the boundaries of the existing school campus. The height and architecture of the buildings would be one-story and consistent with the existing campus. The facility improvements are required to comply with state mandates to provide full-time kindergarten and transitional kindergarten classes. The anticipated construction methods would be common for school facility construction projects, which must adhere to strict standards established by California Code of Regulations Title 5, California Building Code, and California Education Code and are overseen by the California Department of Education and Division of the State Architect.

There are no known unusual circumstances related to the project site or the proposed project, and there is also no evidence that the project would cause significant direct or indirect environmental effects. The site was developed in 2007-2009 and no additional major site grading is required. The District and its construction manager will comply with all applicable local, state, and federal laws, regulations, and best management practices that would minimize potential environmental impacts caused by construction activities. Therefore, this exception does not apply to the proposed project.

D. Scenic Highways

A categorical exemption cannot 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 (CEQA Guidelines Section 15300.2(d)). The closest officially designated scenic highway is State Route 74 heading southwest from CA-111 in Palm Desert, CA, within the San Bernardino National Forest (Cal Trans, 2024). Scenic State Route 74 is located approximately 21 miles east of the school site. Additionally, Interstate 15 (I-15), which is listed as an Eligible State Scenic Highway – Not Officially Designated (from the San Luis Rey River to the 91 Freeway), is located approximately 9 miles west of the school site. Due to the distance, topography, and intervening hills/structures, the school site would not be visible or result in a visual impact to a scenic resource, including State Route 74 and I-15. Therefore, this exception does not apply to the proposed project.

E. Hazardous Waste Sites

A categorical exemption cannot be used for a project on a site that is on any list compiled pursuant to Section 65962.5 of the California Government Code (CEQA Guidelines Section 15300.2(e)). Section 65962.5 of the California Government Code specifies: (1) lists of hazardous materials sites and hazardous waste facilities; (2) hazardous waste discharges for which the State Water Quality Control Board has issued certain types of orders; (3) public drinking water wells containing detectable levels of organic contaminants; (4) underground storage tanks with reported unauthorized releases; and (5) solid waste disposal facilities from which hazardous waste has migrated.

A Preliminary Endangerment Assessment (PEA) under the requirements of the California Department of Toxic Substances Control (DTSC) Preliminary Endangerment Assessment Guidance Manual (DTSC, 1999), was previously completed for the existing school site before the school was constructed (EAI, 2007). As part of the PEA, numerous information sources were reviewed to develop an understanding of the current and historical land use practices at the school site and surrounding properties that may impact the school site, associated with the handling, use, storage, and/or disposal of hazardous substances or wastes. In addition, soil sampling was conducted due to the historic agricultural use of the site. The PEA concluded the following:

- The school site (approximately 20 acres) was formerly used for dry land grain farming (wheat and possibly safflower).
- Field and laboratory investigations were conducted to develop site-specific data to determine the presence of contaminants in the soil at the school site. The site investigation, field sampling and analytical testing were conducted and completed in accordance with DTSC guidelines and requirements.

- A total of five compounds of potential concern were identified including 4,4-DDE, 4,4-DDT, copper, cobalt and vanadium were identified in soil samples from the school site.
- A health risk assessment was prepared for carcinogenic and non-carcinogenic health risks. The total incremental cancer risk for a hypothetical 70-year residential exposure was approximately 0.13 per million, which is below the target risk goal of one per million.
- The total hazard index for a hypothetical 70-year residential exposure was 0.14 which was less than the target level of 1.0.
- No facilities that emit hazardous air pollutants have been permitted by the SCAQMD within a one-quarter mile radius of the school site.
- Because all chemical constituents were at concentrations that were below established target levels, no significant health risks were expected and no further action was required.

Based on the above, it was concluded that no further action (NFA) was required for the school site. The PEA was submitted to the Department of Toxic Substances Control (DTSC) for their review and approval. All new school sites must obtain a NFA designation from DTSC which establishes no significant risk to children's health, children's learning abilities, public health or the environment due to the presence or threatened release of hazardous materials or naturally occurring hazardous materials. On April 13, 2007, DTSC issued a NFA letter to the MUSD for the development of Hans Christensen Middle School (referred to as Middle School #3 in the NFA).

Based on the above, there is no known contamination that would impact the HCMS. Therefore, this exception for hazardous waste sites does not apply to the proposed project.

F. Historic Resources

A categorical exemption cannot be used for a project which may cause a substantial adverse change in the significance of a historical resource. Historical resources are defined as buildings, structures, or objects that are more than 50 years old (CCR 4852(d)(2)). HCMS opened in July 2009 and does not meet the minimum age requirement of 50 years to be considered for historical significance. The project will not remove any buildings or require grading in areas that have not been previously graded. Additionally, the project site is not listed on an official local register of historical resources, the California Register of Historical Resources, or the National Register of Historic Places (OHP, 2024). Therefore, the proposed project would not result in a direct impact to cultural or tribal cultural resources and this exception does not apply to the proposed project.

4.0 CONCLUSION

Based on the above discussion, the proposed modifications to the HCMS are considered to be exempt per CEQA Guidelines Section 15301 Class 1 and Section 15314 Class 14 exemptions for the following reasons:

- (1) The proposed project (modifications to support transitional kindergarten and full-time kindergarten) will be located on the same site as the existing school site.
- (2) The new classrooms and facilities will not result in a change in purpose and are being installed to comply with State mandates to provide full-time kindergarten and transitional kindergarten to all eligible students.
- (3) The project will result in an addition to the school of less than 10,000 square feet.
- (4) The site is zoned for school purposes in the Menifee General Plan.
- (5) The potential increase in student capacity is 11 percent; therefore, the capacity would not increase more than 25 percent.
- (6) The proposed project would result in an increase of five classrooms (which is less than an increase of 10 classrooms).
- (7) Sufficient public services are available to service the school site.
- (8) The project will be located within the existing school site and is not located in an environmentally sensitive area.
- (9) None of the exceptions to the exemptions apply to the proposed project.

Therefore, the proposed modifications to HCMS meet the requirements of CEQA Guidelines Section 15301 Class 1 and Section 15314 Class 14 exemptions and the proposed project is exempt under CEQA.

5.0 REFERENCES

CDE, 2024. California Department of Education, Education Demographics Unit, Information from Data Quest. Accessed February 28, 2024. Available at: <https://dq.cde.ca.gov/dataquest/dataquest.asp>

CDE, 2024. California Department of Education, California School Directory. Accessed February 28, 2024. Available at: <https://www.cde.ca.gov/SchoolDirectory/>

California Department of Transportation (Caltrans), 2024. California Scenic Highways, Scenic Highway Systems List. Accessed February 28, 2024. <https://dot.ca.gov/programs/design/lap-landscape-architecture-and-community-livability/lap-liv-i-scenic-highways>

City of Menifee, 2023. General Plan Land Use Map. Accessed February 28, 2024. <https://www.cityofmenifee.us/DocumentCenter/View/11043/General-Plan--Land-Use-Map---March-2023>.

Environmental Audit, Inc. (EAI), 2007. Preliminary Endangerment Assessment, Proposed Middle School No. 3, May 31, 2007.

Office of Historic Preservation (OHP). Listed California Historical Resources. Accessed February 28, 2024. <https://ohp.parks.ca.gov/ListedResources/?view=county&criteria=33>

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