

RESOLUTION NO. 03-24-25

**RESOLUTION OF THE BOARD OF EDUCATION OF THE DUARTE UNIFIED SCHOOL DISTRICT
FINDING THE DUARTE HIGH SCHOOL SPORTS COMPLEX PROJECT EXEMPT FROM THE
CALIFORNIA ENVIRONMENTAL QUALITY ACT, APPROVING THE FILING AND RECORDATION OF
A NOTICE OF EXEMPTION, AND APPROVING THE PROJECT**

WHEREAS, the Duarte Unified School District (“District”) initiated the construction of a new gymnasium building, associated site work, and related public utilities improvements (“Project”) at Duarte High School, located at 1565 Central Avenue in the City of Duarte, County of Los Angeles; and

WHEREAS, the Project commenced in 2022 with the construction of new tennis courts north of the existing boys’ locker room building and the demolition of the former tennis courts (including underground utility systems) located west of the high school’s existing gymnasium building and boys’ and girls’ locker room buildings; and

WHEREAS, the new building would be two stories in height, have a floor area of 30,633 square feet, and include a gymnasium that would accommodate a full-size basketball court and home and visitor bleachers for up to 1,340 spectators, a weight training room, a dance and wrestling room, team rooms, restrooms, offices, equipment storage, a concessions/ticket booth, and lobby; and

WHEREAS, the Project would include sitework around the new building and adjoining existing buildings to the east and incorporate new hardscape and decorative pavements, a new outdoor plaza, landscaping around the buildings, and fire vehicle access; and

WHEREAS, a portion of the existing parking lot immediately south of the new building and new hardscape would be rehabilitated for one-way vehicle access with ingress from the lot’s existing eastern driveway and egress from the lot’s existing western driveway; and

WHEREAS, the rehabilitated southern lot would have new asphalt and be marked with 27 stalls, include a new bus loading zone, and be planted with new shade trees along its perimeter; and

WHEREAS, the demolition of the former tennis courts and underground utilities involved the removal and realignment of public stormwater drains and sewer line segments operated by the Los Angeles County Flood Control District, Los Angeles County Sanitation District, and the City of Duarte and the vacation of their easements; and

WHEREAS, the realigned public stormwater drain and sewer line segments are located west of the new building and require the creation of new easements from the same agencies; and

WHEREAS, the new building would be connected to Duarte High School's existing infrastructure and utility systems and also tie into the newly realigned sewer main, as well as a water main located under Central Avenue that is operated by the California American Water Company; and

WHEREAS, the implementation of the newly realigned public stormwater and sewer line segments is required solely for the development of the new building and would not result in expanded capacities or usage; and

WHEREAS, the Project does not require or include the expansion of school operations; the new building, relocated tennis courts, and rehabilitated parking lot would accommodate Duarte High School's existing physical education and sports programs (including boys' and girls' varsity and junior varsity); and they would be available for community use via the Civic Center Act; and

WHEREAS, the Project is subject to the California Environmental Quality Act ("CEQA") (Public Resources Code Section 21000 et seq.) and CEQA Guidelines (California Code of Regulations, Title 14 Section 15000 et seq.); and

WHEREAS, categorical exemptions to CEQA are set forth in Article 19 of the CEQA Guidelines; and

WHEREAS, the Project meets the requirements of Categorical Exemption Class 1, Existing Facilities (CEQA Guidelines Section 15301), Class 4, Minor Alterations to Land (CEQA Guidelines Section 15304), and Class 14, Minor Additions to Schools (CEQA Guidelines Section 15314); and

WHEREAS, CEQA Guidelines Section 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, the Project included the replacement and realignment of stormwater and sewer line segments that do not directly or indirectly increase the capacity or operation of these existing facilities; and therefore, the Project meets the conditions of Class 1; and

WHEREAS, CEQA Guidelines Section 15304 consists of activities with minor alterations in the condition of land with a slope of less than 10 percent and vegetation, which do not involve the removal of healthy, mature, scenic trees, including minor excavation, trenching, backfilling, and restoring the impacted area; and

WHEREAS, the Project Site is relatively flat and all areas disturbed by the Project would be restored with new pavement, building space, and/or landscaping, and no scenic or mature trees would be removed from the Project Site; and therefore, the Project meets the conditions of Class 4; and

WHEREAS, CEQA Guidelines Section 15314 consists of activities involving minor additions to existing schools within existing school grounds where the additions do not increase the original student capacity by more than 25 percent or ten classrooms, whichever is less; and

WHEREAS, the proposed gymnasium building is an accessory facility to the existing high school campus and would not increase the number of classrooms or the enrollment capacity of Duarte High School; the Project would not result in additional school-sponsored programming that would increase spectator attendance beyond existing conditions; and the school enrollment capacity would remain the same as under existing conditions; therefore, the Project meets the conditions of Class 14; and

WHEREAS, the District has considered whether exceptions to the exemption apply, as set forth in CEQA Guidelines Section 15300.2, and determined that none of the exceptions apply to the Project: (a) the Project Site is not within a sensitive environment, (b) the Project will not create or contribute to a cumulatively considerable environmental impact, (c) no unusual circumstances are known to exist that could cause the Project to create a significant environmental effect, (d) the Project will not damage scenic resources along an officially designated State scenic highway, (e) the Project Site is not on a hazardous waste list compiled pursuant to Government Code Section 65962.5, and (f) the Project will not cause a substantial adverse change in the significance of a historical resource; and

NOW, THEREFORE, BE IT RESOLVED, the Governing Board of Education of the Duarte Unified School District hereby makes the following findings:

Section 1. That all of the recitals set forth above are true and correct, and the Board so finds and determines.

Section 2. That the District has prepared a Categorical Exemption Evaluation, attached hereto as Exhibit "A," that demonstrates that the Project qualifies for Class 1, Existing Facilities (CEQA Guidelines Section 15301), Class 4, Minor Alterations to Land, (CEQA Guidelines Section 15304), and Class 14, Minor Additions to Schools (CEQA Guidelines Section 15314) Categorical Exemptions and finds that no exceptions apply to the use of the exemptions (CEQA Guidelines Section 15300.2).

Section 3. That the Board has concluded, after evaluating the Project through its own independent judgement and analysis, that the Project can be exempt from extended environmental review.

Section 4. That the Board hereby approves and adopts the Notice of Exemption for the Project per State CEQA Guidelines.

Section 5. That the Board hereby approves the Project.

Section 6. That the District’s Superintendent, or the Superintendent’s designee, is instructed to file and/or record the Notice of Exemption prepared pursuant to the California Environmental Quality Act, consistent with this Resolution, attached hereto as Exhibit “B,” with any and all appropriate public agencies or entities, subject only to minor, non-substantive revisions, if necessary.

Section 7. The Notice of Exemption constitutes a record of these proceedings and will be kept at the Facilities, Operations and Transportation Department of the Duarte Unified School District, located at 1620 Huntington Drive, Duarte, CA 91010, under the control of the Director of Facilities.

Section 8. This Resolution shall take effect immediately upon adoption.

APPROVED AND ADOPTED on September 12, 2024, as evidenced by the signatures below.

**BOARD OF EDUCATION OF THE
DUARTE UNIFIED SCHOOL DISTRICT**

By: _____
Dr. James Finlay, President

By: _____
Ceci Escarcega Carroll, Vice
President and Clerk

By: _____
Reyna Diaz, Member

By: _____
Eddie Howard, Member

By: _____
Rosa Holguin, Member

Resolution 03-24-25
Exhibit A

CATEGORICAL EXEMPTION EVALUATION REPORT

Duarte High School
Duarte High School Sports Complex Project
August 2024

This Categorical Exemption Evaluation Report documents the eligibility of the Duarte Unified School District’s (District) Duarte High School Sports Complex Project at Duarte High School (Project) to be exempt from expanded environmental review pursuant to the California Environmental Quality Act (CEQA), under California Public Resources Code Section 21084 and California Code of Regulations, Title 14, CEQA Guidelines Sections 15061(b)(2) and 15300 et seq.

1. Location

The Project is on the Duarte High School campus at 1565 East Central Avenue in the City of Duarte, Los Angeles County. The campus is associated with Assessor’s Parcel Number 8530-021-905. Central Avenue is south of the high school, Bloomdale Street and Brycedale Avenue are northwest, Huntington Drive is north, Pony Ranch Road is northeast, and Highland Avenue is farther east. Duncannon Avenue intersects Central Avenue on the south and provides pedestrian and vehicle access to the south of Interstate 210 (I-210) via a freeway underpass. Regional access is via I-210 from the Buena Vista Street on- and off-ramps. Figure 1, *Local and Regional Vicinity*, shows the location of the Project from local and regional perspectives.

2. Existing Setting

a. Existing Uses

Duarte High School

Duarte High School operates a traditional high school program, serving students in grades nine through twelve. During the 2023–2024 school year, the school enrolled 770 students.¹

The campus comprises 38 acres and is relatively flat with a gentle slope from approximately 500 feet above mean sea level (amsl) along the northern perimeter to approximately 480 feet amsl in the southwest portion of the campus.²

Duarte High School was originally constructed in 1956. The entire campus is developed and disturbed with permanent buildings and other temporary and portable structures, recreational spaces, and surface lots. School buildings are located in the southeast portion of the school campus. The football field and track are in the northeast portion of the campus. To the west are baseball and softball fields and hardtop sports courts. Duarte Skatepark is in the southwest portion of the campus. All outdoor recreation uses are installed with nighttime lighting for evening use. The gymnasium and boys’ and girls’ locker room buildings are in the south-central portion of campus. Figure 2, *School Facility and Project Plan*, shows the campus layout and the location of the Project. The City uses the Duarte Skatepark, grass baseball and softball fields, and hardtop courts on the western portion of the campus when they are not used by Duarte High School or the District.

¹ California Department of Education, DataQuest, accessed July 25, 2024, <https://dq.cde.ca.gov/dataquest/>.

² United States Geological Survey, Azusa Quadrangle, California, 7.5-Minute Series, 2021, accessed July 25, 2024.

Categorical Exemption Evaluation Report Duarte High School Sports Complex Project

These recreational facilities, as well as other school facilities, are available for community use, as allowed under the Civic Center Act.³

There are multiple access points to the campus from Central Avenue, Pony Ranch Road, and Bloomdale Street. Four access points from Central Avenue include a driveway to the parking lot in the southeast; a one-way semi-circle driveway with an entrance and exit point providing access to the main campus; a driveway providing access to the Project Site and associated southern parking lot; and a driveway providing access to the Duarte Skatepark parking lot. Access to the campus from Pony Ranch Road is provided along the east end of the campus, from the north end by a gate connected to the City Hall parking lot, and from the south end by a driveway to Central Avenue and the southeastern parking lot. Pony Ranch Road also serves as a driveway with parking between the school buildings and track and field. There is a parking lot in the west central portion of the campus (west central parking lot), located west of the new tennis courts, with access from the intersection of Bloomdale Street and Brycedale Avenue.

The Project would occur in an area of approximately 6 acres, including the areas west and north of and immediately around the existing gymnasium (Building L), boys' locker room building located north of Building L, the girls' locker room building located south of Building L, and adjoining community baseball field (Project Site). A majority of the Project Site is currently under construction with Project improvements, further discussed in Section 3 below. Other areas of the Project Site already have Project improvements. The area north of the boys' locker room previously had asphalt basketball courts, and has since been developed with new tennis courts. As shown in Figure 3, *Site Photographs*, the area west of Building L and boys' and girls' locker buildings is currently under construction. A site visit conducted on July 31, 2024, revealed the area is currently developed with a building foundation; previously, as shown in Figure 1, this area was the school's tennis courts. West of the building foundation is the community baseball field, which is currently under construction with a new underground stormwater drain and sewer line and is also used for construction staging and equipment laydown.

Public Utility Systems

The Duarte High School campus is underlain with public, community-serving stormwater and sewer systems. Two stormwater drain segments and their associated 11-inch-wide easements, operated by the Los Angeles County Flood Control District (LACFCD), cross the Project Site:

- North-south drain. A north-to-south trending drain stretches across the campus from its northern perimeter, near Cotter Avenue, to Central Avenue, which is the southern perimeter of the campus. The drain segment within the Project Site has been removed; its diameter was 48 inches wide. The diameter of the drain segment located north of the Project Site is 36 inches, and the segment south of the Project Site to Central Avenue is 60 inches wide.
- Northwest-southeast drain. A northwest-to-southeast trending 48-inch-wide drain segment extends from the west central parking lot, near Brycedale Avenue, through the community baseball field and intercepts the north-south drain (mentioned above) in the southern end of the new building foundation. The diameter of this drain segment was 48 inches, and the portion located within the

³ California Education Code Section 38130 et seq., known as the Civic Center Act, states that every public school in the state must be available as a "civic center" for community use.

Categorical Exemption Evaluation Report Duarte High School Sports Complex Project

Project Site has been removed. The diameter of the drain segment south of the merge of the two drain segments, as mentioned above, is 60 inches.

A 10-inch-wide sewer main and a related easement (operated by the Los Angeles County Sanitation District [LACSD]) extends diagonally through the community baseball field and Project Site from the western end of the west central parking lot to the southern parking lot and then to Central Avenue. The southern segment of the sewer main located within the Project Site has been removed.

An 8-inch-wide sewer line, operated by the City of Duarte, exists on the campus. It extends from the grass fields north of the Project Site to the west central parking lot, where it connects to LACSD's 10-inch sewer main, near the western end of the lot.

At the writing of this document, as discussed above, the public stormwater and sewer systems within the Project Site have been removed. As further described in the Utilities Improvements and Realignment section below, replacement stormwater and sewer segments and related work have been completed in order to maintain uninterrupted stormwater and sewer services to the surrounding communities.

b. Surrounding Land Uses

Duarte High School is in a developed, urban community with a mix of land uses. Residential development surrounds the campus to the northwest, north, and northeast, as well as to the south of I-210. Civic and institutional uses, including the Duarte City Hall and Duarte Senior Center, are located north of the high school; the California School of the Arts, a District charter school, is to the east; and Duarte Park Playground and Duarte Teen Center are to the northwest. Commercial (car dealership) uses are west of the campus.

School buildings, school and community fields, and recreational improvements immediately surround the Project Site to the north, west, and east. I-210 is approximately 100 feet south of Duarte High School. The closest sensitive receptor is a single-family residence at the northwest corner of the Bloomdale Street and Brycedale Avenue intersection.

c. Land Use and Zoning

The property has a land use designation of Public Facility and a zoning designation of Public Facility (PF).⁴ The PF zone generally includes all major public, quasi-public, and institutional land uses, including community centers, cultural institutions, government facilities, libraries, public utilities, and public schools.⁵ The District's Board of Education may exempt the Project from the City of Duarte's zoning ordinances and regulations, including, without limitation, the City's Municipal Code, General Plan, and related ordinances and regulations that otherwise would be applicable.⁶

⁴ City of Duarte, General Plan, Land Use Element, 2018, <https://www.accessduarte.com/home/showpublisheddocument/492/637921233147700000>.

⁵ City of Duarte, Duarte, California – Municipal Code, Chapter 19.18 – Public Facilities Zones (PF), accessed July 29, 2024, https://library.municode.com/ca/duarte/codes/development_code?nodeId=ART22OALUSDEST_CH19.18PUFAZOPF.

⁶ California Government Code Section 53094(a).

3. Project Description

a. Project Characteristics

The Project involves the construction of a new gymnasium building and sitework around the new building and adjoining existing buildings to the east, renovation of the southern parking lot, connection of new utility systems for the new building, and realignment and replacement of the existing public utilities located under the new building footprint. The improvements would comply with Title 24 Building Standards Code, which includes the Building Code (Part 2), Electrical Code (Part 3), Mechanical Code (Part 4), Plumbing Code (Part 5), Energy Efficiency Code (Part 6), Fire Code (Part 9), and California Green Building Code (Part 11), Americans with Disabilities Act, District standards, and applicable County and City codes and standards.

Gymnasium Building

The new, two-story gymnasium building is currently being constructed at the location of the previous tennis courts (see Figure 1). As mentioned in Section 2.a, replacement tennis courts have been constructed in the northern portion of the Project Site. The new building would be rectangular, oriented north-south, and have a similar oval roof structure as Building L, as shown in Figure 2. The building would have a total floor area of 30,633 square feet, including 3,663 square feet on the second floor. The new building would consist of three main parts:

- The northern wing of the building would be two stories. The first floor would include a 2,468-square-foot weight training room accessed from the exterior of the northern wall of the building and from interior hallways, located east and west of the weight training room. The hallways would provide access to two team rooms, each with an adjoining unisex single-stall restroom; two offices; an equipment storage room; and custodial, electrical, and more storage spaces. Access to the second floor would be via two sets of stairs on the northern end of the hallways and an elevator next to the stairwell from the western hallway.

The second story would include a 2,462-square-foot dance and wrestling room in the center of the second floor, above the weight training room; the second floor would also include a mat storage room and two short landing platforms next to the stairs and elevator. Two separate roof decks would be east and west of the dance and wrestling room, accessed from each hallway.

- The central portion of the building would include a 14,436-square-foot gymnasium and accommodate a full-size basketball court with bleacher seats on both sides of the court. The bleacher seating capacity would be 1,340, with a capacity of 630 seats on the eastern side of the court and 710 seats on the western side of the court. Access into the gymnasium would be via the hallways in the northern wing of the building; two doors located on each end of the eastern set of bleachers that provide access from Building L and the locker buildings; and four doors connected to the southern portion of the building.
- The southern portion of the building would be one story and consist of a concession/ticket booth and lobby, men's and women's restroom facilities, and two referee rooms, storage, and IT/data and sound/PA rooms. Exterior access into the lobby would be via four doors on the south side of the building, i.e., two on each side of the concession/ticket area.

Categorical Exemption Evaluation Report Duarte High School Sports Complex Project

Landscaping and Outdoor Improvements

The Project involves sitework, including the installation of hardscape around the new gymnasium and the adjacent Building L and locker room buildings. As shown in Figure 2, decorative pavements would be installed to connect the new building with Building L and locker room buildings. The pavement to the entrance of the new building would be designed with the school's mascot. The new outdoor plaza would include landscaping, tree wells, and outdoor seating. Trees and shrubs would be planted throughout the plaza to provide shade and meet tree shade requirements of the California Green Building Code. A new automatic irrigation system would be installed to water all new landscape.

A portion of the existing parking lot, immediately south of the new building and new hardscape, would be rehabilitated with new asphalt. The existing bidirectional vehicle accessed lot would be marked for one-way circulation. The existing eastern driveway would be designated for ingress only, and the existing western driveway would provide egress-only access. This portion of the lot would be marked for 27 stalls, including 5 accessible stalls and 7 stalls with access to electric charging stations. The Project would maintain the same number of parking stalls as existing. A bus loading zone would be placed in front of the new gymnasium building. New shade trees would be planted along the perimeters of the parking lot.

As shown in Figure 2, fire vehicle access would be provided around the Project Site. A new fire lane would be developed west of the new gymnasium, north of the new gymnasium and boys' locker room building, and east of Building L and the boys' and girls' locker room buildings. New gates for fire truck access would be installed in the southwest and southeast corners of the Project Site with access from the southern parking lot. A third gate would be installed in the northwest corner of the Project Site, with access from the existing west central parking lot.

Utilities Improvements and Realignment

Public Utility Systems

Project implementation requires the realignment of public stormwater drains and sewer lines within the footprint of the new gymnasium. As mentioned in Section 2.a, public infrastructure under the new gymnasium building and areas of sitework have been removed, and replacement drains and sewer line segments and related public improvements, such as new manholes and a new connection to the City of Duarte sewer line, have been implemented, as further discussed below. Existing easements associated with the previous drains and sewer line segments operated by the LACFCD, LACSD, and the City of Duarte would be vacated, and new easements would be required from the same agencies for the realigned public stormwater drain and sewer line segments. Figure 4, *Public Utilities Improvements*, shows the replaced, new, and abandoned stormwater and sewer lines.

- The segment of the north-south stormwater drain within the Project Site has been realigned. The realignment starts from a new manhole along the existing drain in the southeast corner of the northwest parking lot. It is routed west of the new building and under the community baseball field, where it crosses both the existing northwest-southeast stormwater drain and sewer main under the field. A new connection has been installed where the new realignment crosses the existing northwest-southeast drain segment. A new manhole has been installed at the new connection point. The diameter of the new realigned drain segment, north of the new connection, is 48 inches wide and would require a 10-foot-wide easement from the LACFCD. The diameter of the new realigned drain, south of the new connection, is 60 inches wide and would require a 12-foot-wide easement from the LACFCD. The new realigned drain segment

Categorical Exemption Evaluation Report Duarte High School Sports Complex Project

is connected to the existing 60-inch drain in the southern lot, near the egress driveway. A new manhole has been installed at this new connection.

- The new 12-inch sewer main segment has been installed between the existing sewer main in the northwest lot and the same main in the southern parking lot. New manholes have been installed at both ends of the new sewer main segment. The existing sewer main segment north of and between the new realigned stormwater drain and new manhole in the northern lot has been abandoned in place. The existing sewer segment south of the new realigned stormwater drain, which is within the development footprint, has been removed. A third sewer manhole has been installed near the southern third of the new sewer main segment, located in the left field of the community baseball field. The new sewer main segment would require a 15-foot-wide easement from LACSD.
- The existing 8-inch-wide City sewer line in the northwest parking lot was connected to the abandoned sewer line segment. As a part of realigning the LACSD sewer main, the Project required a new 8-inch extension from the realigned sewer main to the City sewer line.

New Building Utility Systems

The new building would be connected to the new and existing utility systems on the campus. The new building would be connected to potable water and electrical lines and telecommunication and fire alarm systems that exist on the campus. The Project would require the following new connections for sewer, stormwater, and fire water systems:

- New 6-, 8-, and 10-inch diameter sewer line segments have been installed from the new building, existing Building L, and an existing sewer line located south of the girls' locker room building, respectively. The new segments would direct sewage to the new realigned sewer main in the community baseball field.
- New storm drains varying from 2 inches to 15 inches in size would be installed under the new sitework, around the new building and existing buildings to the east. The new drains would direct stormwater to a drywell system below the new hardscape next to the entry of the western fire lane. The drywell system would remove sediment in the stormwater before its release into the new realigned public stormwater drain.
- The new building would also require a new fire water system. A new 8-inch diameter PVC line would be installed around the new building, and from the plaza between the new building and existing buildings would extend southward under the southern parking lot to an existing 12-inch diameter water main located under Central Avenue. Connection of the new fire water line to the main would require approval from the California American Water Company.

b. Operation

The Project would not change Duarte High School's existing operations. The new gymnasium would be used by the school's existing physical education programs and after school sports, including varsity and junior varsity boys' and girls' basketball, volleyball, wrestling, gymnastics, dance, and weight training practices, games, and tournaments. It would also be used for school dances, assemblies, and other school-sponsored movies and events. When not used by the school, the facility would be available for community use and events pursuant to the Civic Center Act and District Policy. During Project construction, existing gymnasium

Categorical Exemption Evaluation Report
Duarte High School Sports Complex Project

uses would continue at Building L, the school's existing gymnasium. No uses would need to be relocated during Project construction.

c. Construction

The Project started with the construction of the replacement tennis courts in 2022. Construction of the gymnasium commenced in July 2023 and is scheduled to be completed in April 2025, for a total of 21 months, including demolition, grading, construction, and paving. The improvements would be available for use beginning the 2026 school year. Once construction of all improvements are completed, the community baseball field, which is also used for construction staging and deliveries, would be restored to its pre-construction condition.

d. Construction Regulations and Best Management Practices (BMP)

The District and its construction contractor will comply with the City of Duarte's adopted construction noise regulations, which include limiting construction noise within 500 feet of a residential zone between the hours of 10 p.m. one day and 7 a.m. the next day.⁷

Construction staging and laydown would occur on the community ballfield to the west of the Project Site. The construction site and staging and laydown areas would be fenced with screening to limit trespassing and vandalism. Fiber rolls would be placed along the interior of the fenced areas that are adjacent to the school campus; all existing storm drain inlets in the construction areas would be protected; and driveways providing construction access would be stabilized and installed with a tire wash.

As the construction area would be greater than 1 acre, the Project would comply with the State Water Resources Control Board's Construction Stormwater General Permit Order 2022-0057-DWQ (adopted September 8, 2022). This permit requires the District and/or its construction contractor to prepare a Storm Water Pollution Prevention Plan, which would identify BMPs to be implemented during all construction activities to control and reduce pollutants from discharging into waterways. The BMPs would address erosion and wind erosion control, equipment tracking control, temporary sediment control, water management and material pollution control, and non-stormwater management. Adherence to the Storm Water Pollution Prevention Plan would reduce potential effects of Project construction on water quality to acceptable standards.

To avoid potential direct and/or indirect impacts to active bird nests and/or nesting birds, and in compliance with the federal Migratory Bird Treaty Act and California Fish and Game Code, the District will conduct preconstruction clearance surveys as a BMP, prior to ground disturbance and vegetation removal activities, as follows:

Migratory Bird Treaty Act/California Fish and Game Code Preconstruction Clearance Surveys – In compliance with the Migratory Bird Treaty Act and California Fish and Game Code, if Project-related activities are initiated during bird nesting season (February 15 to August 31), the District and/or its construction contractor shall retain a qualified biologist to conduct a preconstruction nesting bird clearance survey no more than three days prior to the start of any vegetation removal or ground-disturbing activities. The qualified biologist shall survey all trees within 50 feet of the construction area. If no active bird nests are

⁷ City of Duarte, Development Code Section 9.68.120, accessed July 25, 2024.

Categorical Exemption Evaluation Report
Duarte High School Sports Complex Project

detected during the clearance survey, Project construction activities may begin, and no additional avoidance and minimization measures shall be required. If an active bird nest is found, the species shall be identified, and a “no-disturbance” buffer shall be established around the active nest. The size of the no-disturbance buffer shall be increased or decreased based on the judgement of the qualified biologist and level of activity and sensitivity of the species. The qualified biologist shall periodically monitor any active bird nests identified to determine if Project-related activities occurring outside the no-disturbance buffer disturb the birds and if the buffer needs to be increased. Once the young have fledged and left the nest, or the nest otherwise becomes inactive under natural conditions, Project activities within the no-disturbance buffer may occur, following an additional survey by the qualified biologist to search for any new bird nests in the restricted area.

To minimize potential pollution from construction activities to air quality and waterways, the Project would comply with the below rules enforced by the South Coast Air Quality Management District:

Rule 402 (Nuisance) – This rule prohibits the discharge “from any source whatsoever in such quantities of air contaminants or other material which cause injury, detriment, nuisance, or annoyance to any considerable number of persons or to the public, or which endanger the comfort, repose, health, or safety of any such persons or the public, or which cause, or have a natural tendency to cause, injury or damage to business or property.” This rule does not apply to odors emanating from agricultural operations necessary for the growing of crops or the raising of fowl or animals.

Rule 403 (Fugitive Dust) – This rule requires fugitive dust sources to implement best available control measures for all sources and prohibits all forms of visible particulate matter (PM) from crossing any property line. This rule is intended to reduce coarse PM (PM₁₀) emissions from any transportation, handling, construction, or storage activity that has the potential to generate fugitive dust. Potential PM₁₀ suppression techniques are summarized below.

- Portions of a construction site to remain inactive longer than a period of three months will be seeded and watered until grass cover is grown or otherwise stabilized.
- All on-site roads will be paved as soon as feasible or watered periodically or chemically stabilized.
- All material transported off-site will be either sufficiently watered or securely covered to prevent excessive amounts of dust.
- The area disturbed by clearing, grading, earthmoving, or excavation operations will be minimized at all times.
- Where vehicles leave a construction site and enter adjacent public streets, the streets will be swept daily or washed down at the end of the workday to remove soil tracked onto the paved surface.

Rule 1113 (Architectural Coatings) – This rule requires manufacturers, distributors, and end users of architectural and industrial maintenance coatings to reduce reactive organic gas emissions from the use of these coatings, primarily by placing limits on the reactive organic gas content of various coating categories.

4. Applicability of Categorical Exemption

The CEQA Guidelines identify classes of projects that have been determined to not have a significant effect on the environment and that can be categorically exempt from extended environmental review. As discussed

Categorical Exemption Evaluation Report
Duarte High School Sports Complex Project

below, the Project qualifies for a categorical exemption under Class 1, *Existing Facilities*, Class 4, *Minor Alterations to Land*, and Class 14, *Minor Additions to Schools*.

a. *Class 1, Existing Facilities*

Class 1 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. Existing facilities include utilities used to provide electric power, natural gas, sewage, or other public utility services. The key consideration is whether the Project involves negligible or no expansion of use. (CEQA Guidelines § 15301[b])

The Project involves the construction of an accessory, appurtenant gymnasium building in a developed area of an existing high school campus. The new gymnasium building would be used for Duarte High School's existing physical education and athletic programs and would not increase the school's enrollment capacity or expand the school's existing sports programs. Project implementation would require the realignment and reconnection of existing public stormwater and sewer systems. The new replacement public utility segments, as described in Section 3, would be minimally larger than those existing to better accommodate existing system operational needs. However, the increased size of the stormwater and sewer main segments would not result in the expansion of the respective infrastructures' overall operational capacity and/or that of the existing high school campus. Moreover, the increased size of the replacement segments are not substantially greater than those existing upstream from the replacement segments; therefore, the proposed replacement utility segments would not directly increase operation of the overall utility systems or trigger population growth at Duarte High School or the surrounding communities. Therefore, the Project meets the requirement of Class 1.

b. *Class 4, Minor Alterations to Land*

Class 4 consists of minor public or private alterations in the condition of land, water, and/or vegetation which do not involve removal of healthy, mature, scenic trees except for forestry or agricultural purposes. Examples include but are not limited to grading on land with a slope of less than 10 percent, except that grading shall not be exempt in a waterway, in any wetland, in an officially designated scenic area, or in officially mapped areas of severe geologic hazard such as an Alquist-Priolo Earthquake Fault Zone or within an official Seismic Hazard Zone, as delineated by the State Geologist. (CEQA Guidelines Section 15304[a])

The Project would involve the construction of a new gymnasium and associated sitework that would require surrounding public utility improvements. The new improvements would disturb soils and require removal of existing ornamental landscaping, including seven small shade trees. The trees are not considered scenic. All areas disturbed by the Project would be restored with new pavement, structures, and/or landscaping to minimize erosion and allow continued school operations. The Project meets the requirements of Class 4.

c. *Class 14, Minor Additions to Schools*

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 percent or ten classrooms, whichever is less. The addition of portable classrooms is included in this exemption. (CEQA Guidelines Section 15314)

The new gymnasium is an accessory facility to the existing high school campus and would not increase the number of classrooms or the enrollment capacity of Duarte High School. No additional school-sponsored

Categorical Exemption Evaluation Report
Duarte High School Sports Complex Project

programming is proposed that would increase athlete participation or spectator attendance beyond existing conditions. Therefore, the school enrollment capacity would remain the same as under existing conditions. The Project meets the Class 14 conditions.

5. Exceptions to Categorical Exemptions

CEQA Guidelines Section 15300.2, Exceptions, lists conditions under which categorical exemptions are inapplicable. The discussion below addresses whether these conditions apply to the Project.

a. Location

Section 15300.2(a) of the CEQA Guidelines states that Classes 3, 4, 5, 6, and 11 are qualified by consideration of whether a project is located in a uniquely sensitive environment of hazardous or critical concern that has been designated, precisely mapped, or officially adopted pursuant to federal, state, or local laws. According to *Berkeley Hills Watershed Coalition v. City of Berkeley*, (2019) 31 Cal.App.5th 880, this exception concerns effects of the project on the environment, not the impact of the existing surrounding environmental conditions on the project or its future users.

The Project would be implemented on an existing high school campus that is fully developed and does not have any sensitive environments of hazardous or critical concern as mapped or designated by a federal, state, or local agency. Per the City of Duarte General Plan, the Project Site is not within a very high fire hazard severity zone, 100-year floodplain, or landslide or liquefaction zone.⁸ Therefore, this exception does not apply to the Project.

b. Cumulative Impact

Exemptions are inapplicable when there is a significant cumulative impact of “successive projects of the same type in the same place, over time (§15300.2(b)).” The District’s 2016 Long Range Facilities Master Plan (2016 FMP) identifies a variety of campus improvements beyond the Project that may occur at Duarte High School, including classroom and campus reconfiguration development of outdoor learning environments, modernization of existing buildings, and a new event center.⁹

The District does not currently plan to implement the identified recommendations of the 2016 FMP or any other facility improvements at Duarte High School. There are no funds available to make improvements beyond those currently under construction. Therefore, it would be speculative to assume that any of the identified recommendations in the 2016 FMP would be implemented and their environmental effects would combine with those of the Project’s. Accordingly, the Project’s environmental effects would not be cumulatively considerable. This exception does not apply to the 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 determination of whether this exception applies involves two distinct questions: (1) whether the project presents unusual

⁸ City of Duarte, Duarte General Plan – 2021 Safety Element, 2021, <https://www.accessduarte.com/home/showpublisheddocument/1724/638368407308670000>.

⁹ Duarte Unified School District, *[the] rethink & reform Facility Master Plan for Duarte Unified School District*, June 2016, <https://4.files.edl.io/8441/06/22/23/033926-aa0f9191-275e-4ba6-a11f-73f0f2c2b1af.pdf>.

Categorical Exemption Evaluation Report Duarte High School Sports Complex Project

circumstances, and (2) whether there is a reasonable possibility that a significant environmental impact will result from the unusual circumstances. The lead agency considers the second prong of this test only if it finds that some circumstance of the project is unusual. (*Berkeley Hillside Preservation v City of Berkeley* (2015) 60 C4th 1086, 1104)

The Project would not present unusual circumstances or special environmental constraints during Project planning, construction, or operation that may lead to a significant impact. Duarte High School has operated on the Project Site since 1959. The Project would comply with all applicable federal and California laws and regulations and guidelines, as well as County and City requirements, for the realignment of segments of existing stormwater and sewer facilities. Construction methods would be typical for California public school facilities and would comply with standard practices for public school facilities, including the current California Building Code. The Project would also comply with applicable water quality and air emissions rules and standards and would implement BMPs during construction, as listed under Section 3.d. Therefore, this exception does not apply to the Project.

d. Scenic Highways

A categorical exemption cannot be used for a project that may damage scenic resources—including but not limited to trees, historic buildings, rock outcroppings, or similar resources—within an officially designated state scenic highway. The closest officially designated state scenic highway is a segment of State Route 2, approximately 13 miles northwest of the Project, in the County of Los Angeles.¹⁰ Due to the distance, Project implementation would not have the ability to devalue the highway. This exception does not apply to the Project.

e. Hazardous Waste Sites

Subsection 15300.2 of the CEQA Guidelines states that a categorical exemption shall not be used for a project on a site that is on any list compiled pursuant to Section 65962.5 of the California Government Code, which requires the Secretary of the California Environmental Protection Agency to compile lists of hazardous materials sites and waste facilities, also known as the Cortese list, from the Department of Toxic Substances Control, Department of Public Health, State Water Resources Control Board, and California Integrated Waste Management Board.¹¹ A computer search of environmental information of the databases above determined that the Project site is not on hazardous materials/waste site lists compiled by Section 65962.5 of the California Government Code. Therefore, this exception does not apply to the Project.

f. Historic Resources

A categorical exemption cannot be used for a project that may cause a substantial adverse change in the significance of a historical resource, as specified in Public Resources Code Section 21084.1, which defines a resource as one listed in or determined to be eligible for listing in the California Register of Historical Resources and local register of historical resources.

¹⁰ ArcGIS, California Scenic Highways, accessed July 29, 2024, <https://www.arcgis.com/home/item.html?id=f0259b1ad0fe4093a5604c9b838a486a>.

¹¹ California Environmental Protection Agency, Cortese List Data Resources, accessed July 29, 2024, <https://calepa.ca.gov/sitecleanup/corteselist/>; Department of Toxic Substances Control, EnviroStor, accessed July 29, 2024, <https://www.envirostor.dtsc.ca.gov/public/>; California State Water Resources Control Board, GeoTracker, accessed July 29, 2024, <https://geotracker.waterboards.ca.gov/>.

Categorical Exemption Evaluation Report Duarte High School Sports Complex Project

The Project site is not listed on the National Register of Historic Places, California Historical Resources, California Historical Landmarks, or California Office of Historic Preservation's Built Environment Resources Directory.¹² Additionally, the Project site is not identified as historic in the City of Duarte's Historic Preservation Element.¹³ Thus, this exception does not apply to the Project.

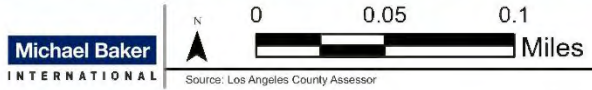
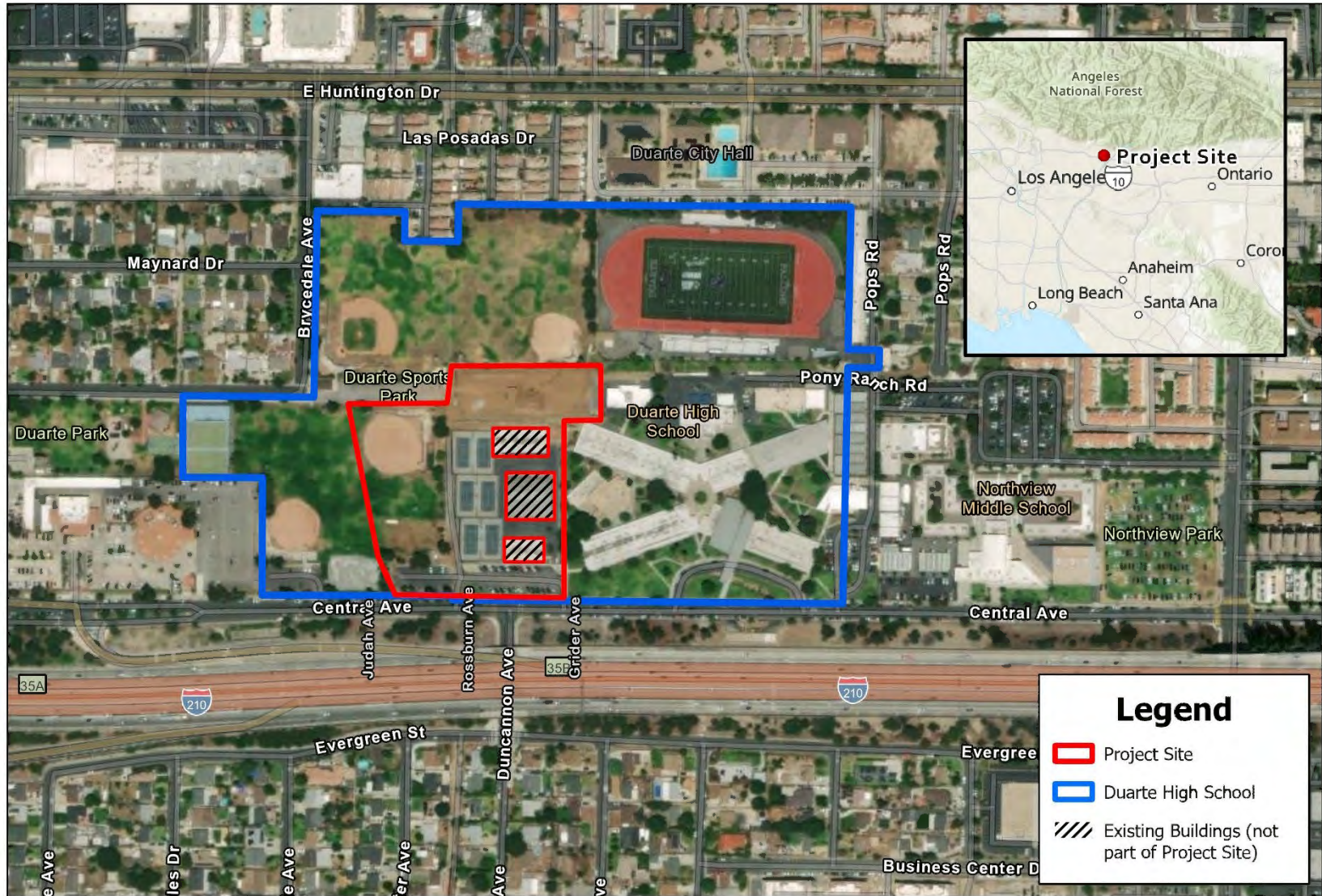
6. Conclusion

As documented herein, the Project meets the requirements of Categorical Exemption Class 1, *Existing Facilities*, Class 4, *Minor Alterations to Land*, and Class 14, *Minor Additions to Schools*, and none of the conditions listed in CEQA Guidelines Section 15300.2, *Exceptions*, apply. Accordingly, the Project is exempt from extended environmental review in accordance with the provisions of CEQA.

¹² National Park Services, National Register of Historic Places, accessed July 29, 2024, <https://www.nps.gov/subjects/nationalregister/database-research.htm#table>; Office of Historic Preservation, California Historical Resources, accessed July 29, 2024, <https://ohp.parks.ca.gov/ListedResources/?view=county&criteria=19>; Office of Historic Preservation, California Historical Landmarks, accessed July 29, 2024, https://ohp.parks.ca.gov/?page_id=21387; Office of Historic Preservation, Built Environment Resources Directory, accessed July 29, 2024, https://ohp.parks.ca.gov/?page_id=30338.

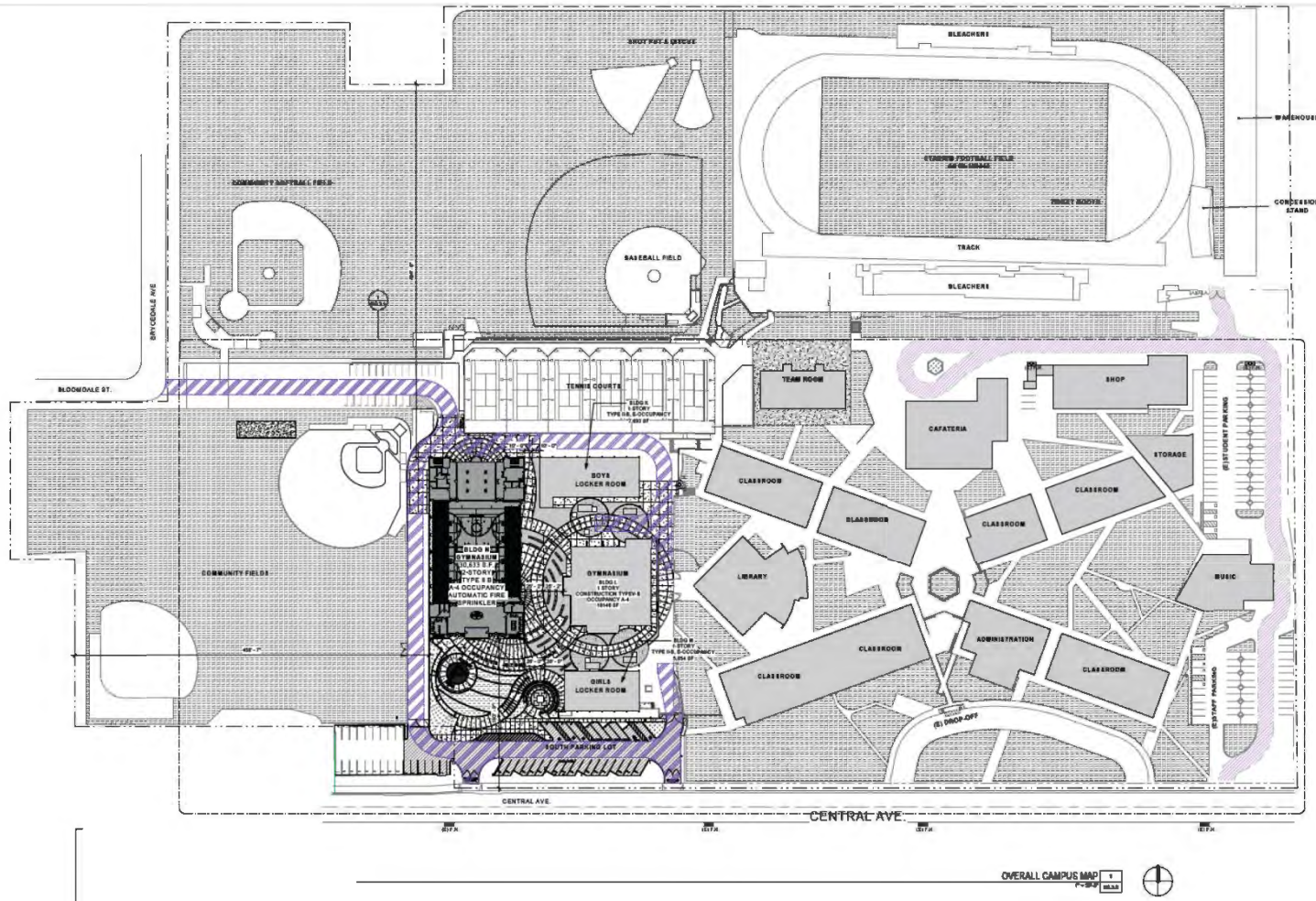
¹³ City of Duarte, Historic Preservation Element, 2007, <https://www.accessduarte.com/home/showpublisheddocument/496/637921233316770000>.

Categorical Exemption Evaluation Report
 Duarte High School Sports Complex Project



Local and Regional Vicinity

Categorical Exemption Evaluation Report
 Duarte High School Sports Complex Project



Categorical Exemption Evaluation Report
Duarte High School Sports Complex Project



Facing west towards the Project site, at the location of the former tennis courts that is now developed with the building foundation.



Facing south towards the varsity baseball field, currently used as a staging area.

Exhibit B

Notice of Exemption

To: Office of Planning and Research
1400 Tenth Street, Room 121
Sacramento, CA 95814
Via CEQAsubmit/CEQAnet
Los Angeles County Clerk
12400 Imperial Highway
Norwalk, CA 90650

From: Duarte Unified School District
1620 Huntington Drive
Duarte, CA 91010

Duarte High School Sports Complex Project

Project Title

1565 East Central Avenue (Assessor's Parcel Number 8530-021-905)

Project Location – Specific

Duarte

Los Angeles

Project Location – City

Project Location – County

The Project involves a new, 30,633-square-foot gymnasium building and sitework around the new building and adjoining existing buildings to the east, renovation of the southern parking lot, connection of new utility systems for the new building, and realignment and replacement of existing public stormwater and sewer line segments located under the new building footprint. The new building would support the existing high school program and be available for community use when not used by the school or District. The replacement public sewer and stormwater lines have been installed with no interruption to existing services. The new building is currently under construction, and the Project would be completed and available for operation in 2026.

Description of Nature, Purpose, and Beneficiaries of Project

Duarte Unified School District

Name of Public Agency Approving Project

Duarte Unified School District

Name of Person or Agency Carrying Out Project

Exempt Status:

- Categorical Exemption: Section 15301 (Class 1, Existing Facilities), 15304 (Class 4, Minor Alterations to Land) and 15314 (Class 14, Minor Additions to Schools)

Class 1 applies as Project implementation required the replacement and realignment of existing stormwater and sewer line segments that do not expand use of the existing facilities. The diameter of the replacement stormwater drain segments would be the same width of those existing. The diameter of the replacement sewer main segments would increase by 2 inches; however, the realigned sewer segments connected to an existing pipe segment, downstream from the Project, that operates the original smaller width. Therefore, the Project would not directly or indirectly increase the capacity or use of the existing public utility systems. Class 4 applies to the Project as all areas disturbed by the Project would be restored with new pavement, building space, and/or landscaping to minimize erosion and allow continued school operations. No scenic or mature trees would be removed by the Project. Class 14 applies to the Project as the proposed gymnasium is an accessory facility to the existing high school campus and would not increase the number of classrooms or the enrollment capacity of Duarte High School. No additional school-sponsored programming is proposed that would increase spectator attendance beyond existing conditions, and the school enrollment capacity would remain the same as under existing conditions. Additionally, none of the exceptions listed in CEQA Guidelines Section 15300.2 apply to the Project.

Reasons why project is exempt

Tiffany Bell, Assistant Superintendent of Business Services

(626) 599-5024

Lead Agency Contact Person

Area Code/Telephone

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

Signature: _____ **Date:** _____ **Title:** _____
 Signed by Lead Agency Signed by Applicant