

NOTICE OF EXEMPTION

To:

Orange County Clerk-Recorder
County Administration South
Attn: Recorder Operations
601 N. Ross Street
Santa Ana, CA 92701

From:

Capistrano Unified School District
33122 Valle Rd
San Juan Capistrano, CA 92675

Office of Planning and Research/Governor's
Office of Land Use and Climate Innovation
Online Submittal via CEQA Submit

Project Title: Grounds Department Facility ("Project")

Project Location: 29001 Paseo de Colinas, Laguna Niguel, CA 92677 (northwest of the intersection of Paseo de Colinas and Del Cerro, and to the east of Niguel Hills Middle School – the "School")

Name of Public Agency Approving Project (Lead Agency): Capistrano Unified School District

Name of Person or Agency Carrying Out Project: Capistrano Unified School District

Project Description: The Project is the relocation, assembly, storage, and/or construction of a new Grounds Department facility and the use of that Grounds Department facility to store items including, but not limited to, surplus buses, grounds equipment, heavy earth-moving machinery, trailers, and other items and materials commonly used or necessary to support the District's Grounds Department's day-to-day operations. The construction of the Project would include aesthetic improvements at the Colinas Property, including, but not limited to, planting of shrubbery, removal of a small section of an existing block wall, and replacement of a cattle guard with a new gate and privacy fencing.

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 Exemptions: CEQA Guidelines Section 15301 (Class 1 Existing Facilities), CEQA Guidelines Section 15303 (Class 3 New Construction or Conversion of Small Structures), CEQA Guidelines Section 15304 (Class 4 Minor Alterations to Land),

- CEQA Guidelines Section 15311 (Class 11 Accessory Structures) and CEQA Guidelines Section 15314 (Class 14 Minor Additions to Schools)
X Common Sense Exemption, Guidelines § 15061(b)(3)
___ Statutory Exemption
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Reasons Why Project is Exempt:

The Capistrano Unified School District (“District”) reviewed the provisions of the California Environmental Quality Act (“CEQA”) (Pub. Resources Code, § 21000 et seq.) and the State CEQA Guidelines (Cal. Code Regs., tit. 14, § 15000 et seq.). CEQA contains a number of exemptions from CEQA including the following:

- The CEQA Guidelines Section 15301 (Class 1 Existing Facilities) categorical exemption 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 CEQA Guidelines Section 15303 (Class 3 New Construction or Conversion of Small Structures) categorical exemption applies to the 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 CEQA Guidelines Section 15304 (Class 4 Minor Alterations to Land) categorical exemption applies to 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.
- The CEQA Guidelines Section 15311 (Class 11 Accessory Structures) categorical exemption applies to the construction, or placement of minor structures accessory to (appurtenant to) existing commercial, industrial, or institutional facilities, including but not limited to, small parking lots.
- The CEQA Guidelines Section 15314 (Class 14 Minor Additions to Schools) categorical exemption 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 ten classrooms, whichever is less.

CEQA also provides, in CEQA Guidelines Section 15061(b)(3), that where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is exempt from CEQA.

The District determined that the Project is categorically exempt from the provisions of CEQA pursuant to CEQA Guidelines Section 15301 (Class 1 Existing Facilities), Section 15303 (Class 3 New Construction or Conversion of Small Structures), Section 15304

(Class 4 Minor Alterations to Land), Section 15311 (Class 11 Accessory Structures) and Section 15314 (Class 14 Minor Additions to Schools) because the proposed Project includes minor alterations of existing public facilities, involving negligible or no expansion of existing or former use, construction of a small facility, minor alterations to land, the construction or placement of minor structures accessory to (appurtenant to) the School and minor alterations/additions to the District's School with negligible or no expansion of use, and the proposed Project will not increase original student capacity by more than 25% or ten classrooms, and is also exempt under CEQA Guidelines Section 15061(b)(3) as it can be seen with certainty that there is no possibility that the proposed Project may have a significant effect on the environment.

CEQA Guidelines Section 15300.2 sets forth the following exceptions to categorical exemptions:

“(a) Location. Classes 3, 4, 5, 6, and 11 are qualified by consideration of where the project is to 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 in 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.

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

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

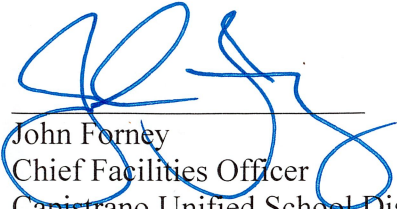
(d) Scenic Highways. A categorical exemption shall not be used for a project which may result in damage to scenic resources, including but not limited to, trees, historic buildings, rock outcroppings, or similar resources, within a highway officially designated as a state scenic highway. This does not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

(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 Section 65962.5 of the Government Code.

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

The District reviewed the Project and determined that none of the exceptions to categorical exemption set forth in CEQA Guidelines Section 15300.2 apply.

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John Forney
Chief Facilities Officer
Capistrano Unified School District



Date