

# 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: Contra Costa  
 725 Court Street #103  
 Martinez, CA 94553

From: (Public Agency): Walnut Creek School District  
 960 Ygnacio Valley Road  
 Walnut Creek, CA 94596  
 (Address)

Project Title: Walnut Heights School Modernization Project

Project Applicant: Walnut Creek School District <sup>960 Ygnacio Valley Rd., Walnut Creek, CA 94596</sup>  
Steve Miller, Director, Construction & Maintenance 925.944.6850

Project Location - Specific:  
 4064 Walnut Blvd., Walnut Creek, CA

Project Location - City: Walnut Creek Project Location - County: Contra Costa

Description of Nature, Purpose and Beneficiaries of Project:

The proposed project would renovate existing buildings and add a library/wellness building, possibly replace the earthquake shed, and other minor improvements. Eighteen mature trees would be removed. Nesting bird monitoring would occur for any tree removal during the nesting season.

Name of Public Agency Approving Project: Walnut Creek School District <sup>960 Ygnacio Valley Rd., Walnut Creek, CA 94596</sup>  
Steve Miller, Director, Construction & Maintenance 925.944.6850

Name of Person or Agency Carrying Out Project: Walnut Creek School District <sup>960 Ygnacio Valley Rd., Walnut Creek, CA 94596</sup>  
Steve Miller, Director, Construction & Maintenance 925.944.6850

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, 3 and 14, Sections 15301, 15302
- Statutory Exemptions. State code number: \_\_\_\_\_

Reasons why project is exempt:

Restoration and rehabilitation of structures, are also covered under the Class 1 exemption. The new modular building would comply with Section 15303. The CEQA Class 14 Exemption applies to expansion of schools of less than 25% (project increase would be 13%). See attached Discussion.

Lead Agency  
 Contact Person: Steve Miller, Director, Construction and Maintenance Area Code/Telephone/Extension: (925) 944-6850

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: [Signature] Date: 1/27/2026 Title: Director, Construction and Maintenance

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: \_\_\_\_\_

**WALNUT HEIGHTS SCHOOL MODERNIZATION PROJECT  
NOTICE OF EXEMPTION DISCUSSION**

**Project Description**

**Existing Conditions**

The Walnut Heights Elementary School, located at 4064 Walnut Blvd in Walnut Creek, is owned and operated by the Walnut Creek School District. The school is in a single-family residential neighborhood, with houses adjacent to the school on the northwest and southeast, and across Walnut Boulevard from the school on the southwest as well. The school includes a 3-acre nature area, and, to the northeast, is adjacent to the larger Walnut Creek Open Space parkland to the school.

This natural setting provides the backdrop to the school that serves approximately 400 students and their families in transitional kindergarten (TK) through fifth grade. Built in 1952 and modernized in 1998, the school district added outdoor learning areas in 2003 and a new amphitheater in 2004.

The school currently has 21 classrooms and 19,870 sq. ft. of interior building space.

**Proposed Project**

I understand this project to include:

- Site Improvements including new fire hydrant and upgraded EVA access, revised parking and drive aisle access. The total number of parking spaces would be reduced from the current 60 spaces to 47 spaces. This is primarily the result of the loss of 12 spaces south of the Aftercare buildings due to the city sidewalk improvements.
- New canopy, school signage, and gated entrance.
- New perimeter fencing (2300 linear feet).
- Accessibility upgrades.
- New 2,622 sq. ft. library and tiered support building as well as new adjoining outdoor classroom.
- Modernization of the Lower, Middle and Upper Wing classroom buildings, and the Kindergarten classrooms in the Administration Wing. Paint all existing building exteriors.
- Conversion of 3 standard classrooms (rooms 24 – 26) to two 1423 sq. ft. TK classrooms in the Lower Wing.
- Specialized/Common Areas – Conversion of Portables 38 and 39 to Science and Art/Music.

- Tiered Support - Convert existing Portable 46 and Room 40 to Tiered Support spaces.
- Provide additional Tiered Support spaces included in new library building.
- Multi-Purpose Room – Remove existing stage, new finishes, lighting, wall & ceiling acoustical panels, bi-fold doors open to new outdoor eating area.
- Remodel of administration spaces, which includes expanding into the adjacent hallway.
- Modernization of existing staff lounge.
- Removal and possible replacement of the 226-sq. ft. earthquake shed.
- Implementation of a landscaping plan.
- Removal of 18 mature trees, including three valley oaks. If construction activities commence during the nesting season for migratory and native birds (February 1 through August 31), project would adhere to the following protocols:
  - A qualified biologist will conduct a pre-construction nesting bird survey within 14 days prior to the start of ground-disturbing or vegetation-removal activities. If construction activities are delayed for 14 days or more, an additional nesting bird survey will be conducted prior to resuming work.
  - If active nests of native bird species protected under the Migratory Bird Treaty Act or California Fish and Game Code Sections 3503 and 3503.5 are identified within or adjacent to the construction area, a temporary no-disturbance buffer will be established around the active nest. The buffer will remain in place until a qualified biologist determines that the young have successfully fledged or the nest is no longer active.
  - Buffer distances shall be established based on species sensitivity, nesting stage, and site conditions, and shall follow agency-accepted standards, generally as follows:
    - Non-raptor passerines: 100 feet
    - Raptors: 500 feet
  - Buffer distances may be adjusted by a qualified biologist in coordination with the appropriate agencies based on observed nesting behavior and construction intensity.

The primary purpose of the project would be to update and improve the school classrooms, tiered support and staff areas, and recreation areas; and better provide for kindergarten and transitional kindergarten students at the school. Access improvements would be intended to enhance safety and handicapped access.

No increase in school capacity or operations is proposed.

The modernization work would occur over the summers of 2025 and 2026.

## **Categorical Exemption Analysis**

### **Class 1 Exemption**

The CEQA Class 1 Exemption (Class 1-Existing Facilities [CEQA Guidelines, Section 15301]) applies to operation and minor expansions of existing facilities. It includes upgrades of existing building interiors and exteriors, demolition and removal of small structures, addition of safety or health protection devices, restoration or rehabilitation of deteriorated structures, and additions to existing structures that will not result in an increase of more than 50% of the floor area before the addition, or 2500 sq. ft., whichever is less.

The proposed project would consist of building renovations, play structure refreshes, new fencing, parking lot modifications, updated landscaping, and improved accessibility and safety features structure in an existing school campus. The addition of the 2622-sq. ft. new modular building may be partially offset by the removal of the 226-sq. ft. earthquake shed (depending if that shed is rebuilt elsewhere on the campus), and reduce the net addition below 2500 sq. ft. Therefore, this exemption would apply to those aspects of the project.

### **Class 3 Exemption**

The CEQA Class 3 Exemption (Class 3-New Construction [CEQA Guidelines, Section 15303]) applies to 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. In urban areas, structures of up to 10,000 sq. ft and garages (and presumably parking lots) would be subject to this exemption (per CEQA Guidelines Sections 15303(c) and (e)).

The project would construct a single 2622-sq. ft modular library/wellness building on an existing developed school campus. These would be within the small structure size limitations included in the exemption.

### **Class 14 Exemption**

The CEQA Class 14 Exemption (Minor additions to schools - CEQA Guidelines, Section 15314) applies to minor additions to existing schools within existing school grounds where the addition does not increase original student capacity by more than twenty-five (25) percent or ten (10) classrooms, whichever is less.

As detailed above, the project would not increase the number of classrooms at the school. The project would not increase the school's capacity or classroom count, therefore this exemption would apply.

### **Analysis of Exceptions to Categorical Exemptions**

Per CEQA Guidelines section 15300.2, exceptions to Section 15301 and 15314 categorical

exemption can apply where the following occur:

- Cumulative impact of the same type in the same place, over time is significant.
- Significant effect due to unusual circumstances.
- Damage to scenic resources, including but not limited to, trees, historic buildings, rock outcroppings, or similar resources, within a state scenic highway.
- Hazardous Waste Sites included on any list compiled pursuant to Section 65962.5 of the Government Code.
- A substantial adverse change in the significance of a historical resource.

The Section 15303 (Class 3) categorical exemption also includes an exception if a project would be located in an extremely sensitive environment.

As summarized below, none of these exceptions appear to apply to this project and therefore this exemption would apply:

- The project area is a developed residential neighborhood, and, based on a review of the Walnut Creek Community Development Department's Major Projects Map <https://storymaps.arcgis.com/stories/f921c8aee5a04c7eab7f65c606b9384f> (accessed March 15, 2024), no development has been identified that would have impacts to which the project's impacts would contribute to in a cumulatively considerable manner.
- There do not appear to be any unusual circumstances that could result in significant environmental impacts at the site.
- The existing portable buildings to be removed are not a scenic resource, nor are there any such resources on the school campus. In addition, the new one-story modular buildings would be located in the interior of the school campus, distant from any public or neighbors' views. The site also is not within the viewshed of a State Scenic Highway.
- The site is not on or near a listed hazardous waste site (database search performed March 15, 2024): <https://www.envirostor.dtsc.ca.gov/public/map/>
- The proposed project would not demolish or substantially alter any historic structures. The renovations proposed by the project would entail mostly interior and exterior renovations to an existing school that would not substantially change the school's architectural character. There are no historic resources at the school. Therefore, no historic resources would be affected.
- The project site is a developed school campus in an established residential neighborhood. There are no extremely sensitive environmental features on or near the site. If tree removal starts during the nesting season for protected birds, nesting bird surveys and avoidance would be conducted, as described