

Memo

To: Alex Kristal, Senior Construction Project Manager

From: Phil Gleason, Chris Dugan

Job Code: 16080.01

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SUBJECT: Bayside S.T.E.M. Academy Modernization Project

MIG | TRA Environmental Sciences, Inc. (MIG|TRA) has prepared this memorandum to evaluate the applicability of a California Environmental Quality Act (CEQA) Categorical Exemption for the San Mateo Foster City School District's Bayside Science, Technology, Engineering, and Mathematics (S.T.E.M.) Academy Modernization Project (project). This memorandum describes our understanding of the project and presents our factual substantiation for the use of a Class 1 (Existing Facilities) and Class 14 (Minor Additions to Schools) Categorical Exemption for the project.

Background

The San Mateo-Foster City School District (District) is comprised of 15 elementary schools (TK-5), 4 middle schools (grades 6-8), 1 TK-8 school, and other pre-school and school-aged programs. District-wide enrollment has increased from approximately 10,900 total students in 2010 to 11,900 students in 2014 and is expected to continue to increase in the near-term. To address the expansion of Montessori Program in enrollment, the District is proposing to undertake certain activities to modernize and facilitate the transition of Bayside S.T.E.M. Academy from a middle school to an elementary / middle school. Once complete, the proposed modernization would enable the District to transfer elementary students from Parkside Elementary School to Bayside S.T.E.M. Academy.

Located at 2025 Kehoe Avenue in San Mateo, Bayside S.T.E.M. was constructed in 1959 and has the capacity to accommodate up to 1,050 students; however, the school has been historically under-utilized (SMFCSD 2016a). Enrollment in the 2013-14 school year was approximately 575 students, and the enrollment for the 2015-16 year was 657. Enrollment forecasts indicate the Bayside S.T.E.M. student population could potentially reach 685 in the year 2016-2017 (EdData 2016, SMFCSD 2016b).

Parkside Elementary, one of the District's elementary schools, is located at 1685 Eisenhower Street in San Mateo. Parkside is approximately 0.4 miles south of

the Bayside S.T.E.M. Academy, as measured by surface streets accessible to both pedestrians and motor. Parkside is one of the two elementary schools in the District offering a Montessori Program, which has continued to grow in popularity over the years.

Summary of Findings

Based on the analysis contained herein, it is MIG|TRA's professional opinion the project is eligible for a Categorical Exemption under CEQA Guidelines Section 15301 (Existing Facilities) and 15314 (Minor Additions to Schools). None of the exceptions to the exemptions specified in CEQA Guidelines Section 15300.2 apply to the proposed project (see *Exceptions* section below).

This determination is based, in part, on the incorporation of best management practices (BMPs) into the project's plans and specifications to avoid the potential for significant environmental effects (see *Best Management Practices* in the Project Description, below).

Project Description

The District's Board of Trustees has approved modernizing the Bayside S.T.E.M. Academy by adding a Science, Technology, Engineering, Art, and Mathematics (S.T.E.A.M.) program that would serve students from kindergarten through fifth grade (K-5). The decision to modernize the Bayside S.T.E.M. Academy involved substantial public input. A task force with the parents and staff from both schools met for a year to discuss various options for creating more space for the Montessori program at Parkside Elementary. Members of the task force made presentations to parents at PTA meetings, parent education nights, and staff meetings. Articles were written in the school newspapers and the minutes from the task forces meetings were shared on a public webpage. Presentations were made at four board meetings and parents from both Parkside Elementary and Bayside S.T.E.M. received notice of the meetings through the automated message dialing system.

The proposed project activities would include:

- The transfer of approximately 244 K-5 elementary school students from Parkside Elementary School to Bayside S.T.E.M. Academy;
- The interior renovation of 14 existing classrooms at Bayside S.T.E.M. Academy,
- The relocation of four existing portable classrooms from the west side of Bayside S.T.E.M. Academy to the east side of the Academy;

- Construction of a new K-5 playground area at the location of the existing four portable classrooms; and
- The addition of one new portable classroom on the Bayside S.T.E.A.M. portion of campus.

The District proposes to begin construction and renovation at Bayside S.T.E.M. in summer 2016 so the proposed improvements would be complete in time for the 2017-18 school year. The proposed activities are described further below.

Transfer of Students from Parkside Elementary to Bayside S.T.E.M. Academy

The transfer of students from Parkside Elementary to the Bayside S.T.E.M. Academy would allow the District to better utilize its space and resources, and potentially allow the Montessori Magnet Program at Parkside Elementary School to expand enrollment.

For the 2015-16 school year, Parkside Elementary School's enrollment was 396, and Bayside S.T.E.M. Academy's enrollment was 657 (SMFCSD 2016b). Unlike Bayside S.T.E.M., Parkside Elementary includes options for both a Montessori program, as well as a S.T.E.A.M. program. Parkside Elementary is one of two District sites offering a K-8 Montessori Magnet Program, a popular program within the District, and projections show the program could grow by more than 33% (50 students) by 2017 (SMFCSD 2016b). To increase capacity for the expanding Montessori program, the District has indicated 133 students would remain at Parkside Elementary (as a part of the Montessori Program), and 264 S.T.E.M. students at Parkside would be transferred to the new, Bayside S.T.E.A.M. Program (SMFCSD 2016c).

As discussed above, Parkside Elementary School is approximately 0.4 miles south of Bayside S.T.E.M. Academy. It is unknown how many of the students at Parkside Elementary and Bayside S.T.E.M. walked, biked or were driven to school; however, the District has identified 56 students who were bussed to Bayside S.T.E.M., and 25 special education students who were bussed to Parkside Elementary during the 2015-16 school year (SMFCSD 2016b). Bayside S.T.E.M. can accommodate approximately 150 bicycles in its bicycle parking area, and Parkside Elementary has approximately 50 bicycle parking spots.

The proposed project would result in a minor increase to traffic during the school year. The increase would not create a new significant impact on the surrounding infrastructure, because the two schools are less than half a mile from one another as measured on surface streets. Furthermore, as a magnet school, Parkside Elementary draws over 60% of its student population from more than half a mile away. The intersections of Klamath Avenue and Roberta Drive, as well as Kehoe Avenue and Lodi Avenue would likely see a small increase

in traffic due to the project due to where the Parkside S.T.E.M. students currently live; however, the transfer of S.T.E.M. students from Parkside Elementary to Bayside S.T.E.M. Academy would not generate new trips (SMFCSD 2016d). The project would rather detour existing trips from Parkside Elementary that, after dropping off the children, would proceed onto their final destination as they currently do.

The District has a good, long-standing relationship with the residences on Kehoe Avenue and the surrounding area. The District has not received any complaints pertaining to traffic from Bayside S.T.E.M. on Kehoe Avenue during school operations.

Classroom Improvements (Renovation, Addition, and Relocation)

Bayside S.T.E.M. Academy currently consists of approximately 40 classrooms. The proposed project would include the interior renovation of approximately 14 classrooms (which would result in the creation of an additional two classrooms), the renovation of two restrooms, the construction of two new restrooms, and the installation of one new portable classroom. The renovated buildings would provide the campus with two new kindergarten classrooms and ten new S.T.E.A.M. classrooms with floor space, countertops, and restroom amenities suitable for smaller children (Aedis, 2015).

Portable Classroom Relocation / Installation

As part of the project, four portable classrooms would be relocated from the western side of the campus to the eastern side of the campus. These portables are currently being used (and would continue to be used) by the physical education department for offices, as well as changing rooms for the students prior to physical education classes. An additional portable classroom would be installed on the north side of Building 3 to be used by the S.T.E.A.M. program (Aedis, 2016).

Two newly constructed restrooms would be located on the north side of Building 3, in the two new kindergarten classrooms (Aedis, 2015 and Aedis, 2016). The eastern kindergarten classroom's restroom would be constructed in the footprint of the existing building, and the western kindergarten classroom's restroom would be a small addition to Building 3.

Playground Structures

New playground structures would be located on the existing black top where the four portable classrooms are currently located. The black top extends from the rear of the existing school buildings to the north and are used for recreational activities and painted with various sports fields (soccer, basketball, track, etc.).

Best Management Practices

The project would include the following Best Management Practices (BMPs) in the project plans and specifications:

Air Quality

The proposed project is located in the San Francisco Bay Area Air Basin (SFBAAB), an area of non-attainment for national and state ozone (O₃), state particulate matter (PM₁₀), and national and state fine particulate matter (PM_{2.5}) air quality standards (CARB 2015). The Bay Area Air Quality Management District (BAAQMD) is responsible for maintaining air quality and regulating emissions of criteria and toxic air pollutants within the SFBAAB.

For all projects, the BAAQMD recommends implementation of eight Basic Construction Mitigation Measures (BAAQMD 2011) to reduce construction emissions; these basic measures are also used to meet the BAAQMD's BMP thresholds of significance for construction fugitive dust emissions. Accordingly, the District shall incorporate the following BMPs into the project:

BMP-1: Reduce Fugitive Dust Emissions

To reduce potential fugitive dust that may be generated by the project, the District shall implement the following BAAQMD basic construction measures:

- Water all exposed surfaces (e.g., staging areas, soil piles, graded areas, and unpaved access roads) two times per day during construction and adequately wet demolition surfaces to limit visible dust emissions.
- Cover all haul trucks transporting soil, sand, or other loose materials off the project site.
- Use wet power vacuum street sweepers at least once per day to remove all visible mud or dirt track-out onto adjacent public roads (dry power sweeping is prohibited) during construction of the proposed project.
- Vehicle speeds on unpaved roads/areas shall not exceed 15 miles per hour.
- Complete all areas to be paved as soon as possible and lay building pads as soon as possible after grading unless seeding or soil binders are used.
- Minimize idling time of diesel powered construction equipment to five minutes and post signs reminding workers of this idling restriction at access points and equipment staging areas during construction of the proposed project.

- Maintain and properly tune all construction equipment in accordance with manufacturer's specifications and have a CARB-certified visible emissions evaluator check equipment prior to use at the site.
- Post a publicly visible sign with the name and telephone number of the construction contractor and District staff person to contact regarding dust complaints. This person shall respond and take corrective action within 48 hours. The publicly visible sign shall also include the contact phone number for the Bay Area Air Quality Management District to ensure compliance with applicable regulations.

Cultural Resources

The General Plan of San Mateo states:

"It is known that the Ohlone congregated near San Mateo Creek and the Bay Marshes. A 1983 archaeological survey concluded that while soil removal and construction have eliminated most aboveground shellmounds, good potential still exists for the presence of undisturbed subsurface archaeological deposits at surveyed sites. It was also concluded that high research potential exists for sites adjacent to San Mateo Creek" (San Mateo 2011).

Bayside S.T.E.M. is located adjacent to Leslie Creek and less than a mile away from the San Mateo Creek. The District would implement the following BMPs during project activities to avoid potential impacts on unanticipated and previously unknown cultural resources.

BMP-2: Protection of Unrecorded Cultural and Historic Resources, Tribal Cultural Resources, and Human Remains

In the event that unrecorded cultural or historical resources, or tribal cultural resources are accidentally discovered during project construction, the District shall:

- Treat any potential cultural, historical, tribal and paleontological material as a resource to be protected until determined otherwise by a qualified archaeologist or paleontologist.
- Ensure that no potential resource is removed or damaged by project personnel.
- Stop all earth-disturbing work (e.g., excavation, piling, foundation removal, etc.) within 50 feet of the discovered material, avoid altering the material and its context in any way, and immediately (within 24 hours) have the resource evaluated by a qualified archaeologist or

paleontologist before continuing work within 50 feet of the location of the discovered resource.

- In the event the find is determined to be a historical or unique archaeological resource, a qualified archaeologist shall develop measures, in accordance with Public Resources Code Section 21083.2 and Section 15126.4 of the CEQA Guidelines, which avoid or substantially lessen potentially significant impacts on cultural or tribal cultural resources, with a preference for preservation in place. The District shall consult with the project archaeologist before continuing work within 50 feet of the location of the discovered resource.

If unrecorded human remains are accidentally discovered during construction activities, the measures specified in Section 15064.5(e)(1) of the CEQA Guidelines shall be followed:

- There shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent human remains until the San Mateo coroner is contacted to determine that no investigation of the death is required. If the coroner determines the remains to be Native American, the Coroner shall contact the Native American Heritage Commission (NAHC) within 24 hours. The NAHC shall identify the person or persons it believes to be most likely descended from the deceased Native American. The most likely descendent may make recommendations to the landowner or the person responsible for the excavation work, for means of treating or disposing of, with appropriate dignity, the human remains and any associated grave goods as provided in Public Resources Code Section 5097.98; or, if the NAHC cannot identify the most likely descendants (MLD), the MLD fails to make a recommendation, or the property owner rejects the MLD's recommendations, the property owner can rebury the remains and associated burial goods with appropriate dignity in an area not subject to ground disturbance.

BMP-3: Minimize and Avoid Impacts to Paleontological Resources

If paleontological resources are encountered, the District shall avoid altering the resource. All construction activities will cease immediately and, additionally, no work shall be carried out within the stratigraphic context that the resource was discovered in until a qualified paleontologist has evaluated, recorded, and determined appropriate treatment of the resource consistent with protocols of the Society for Vertebrate Paleontology and in consultation with the County.

Hydrology and Water Quality

Despite the project occurring over the summer months, project development could result in short-term impacts to water quality during construction from soil erosion, increased sediment, or construction fuels and fluids entering stormwater runoff exiting the project site. The District shall incorporate BMPs to protect water quality during construction, such as limiting construction to the dry season, use of fiber rolls or silt fencing to prevent sediment from entering runoff water and a spill prevention plan to contain accidental spills or fuels or fluids associated with construction. The proposed project would result in a small increase in impervious surface area, due to the relocation of the four portable classrooms to an area currently containing pervious surfaces, but it would not provide a substantial increase in stormwater runoff as the portables would be located in a grassy area which would provide adequate drainage.

BMP-4: Protect Water Quality

- The project shall incorporate appropriate BMPs to protect water quality during construction in the project plans and specifications. These measures can include, but are not limited to: limiting construction to the dry season, use of fiber rolls or silt fencing to prevent sediment from entering runoff water, covering stockpiles, using soil stabilizers, and development of a spill prevention plan to contain accidental spills or fuels or fluids associated with construction.

Noise

The proposed project would generate short-term construction noise from portable relocation/construction. Although the District is not required to obtain a permit from the City of San Mateo, the District would abide by the standard city permit's construction operating hours, which limits construction related activities to the hours of 7:00 AM to 7:00 PM on weekdays, on Saturdays from 9:00 AM to 5:00 PM and Sundays and holidays from 12:00 PM to 4:00 PM.

BMP- 5: Construction Hours

- The project will restrict construction to the hours between 7:00 AM to 7:00 PM on weekdays, 9:00 AM to 5:00 PM on Saturdays, and 12:00 PM to 4:00 PM on Sundays and holidays.

Applicability of a CEQA Categorical Exemption

CEQA applies to discretionary actions by public agencies that have the potential to result in a physical change in the environment. Projects subject to CEQA typically have one of three outcomes: preparation of a Notice of Exemption, an Initial Study (IS) / Mitigated Negative Declaration (MND), or an Environmental Impact Report (EIR). The CEQA Guidelines includes a list of classes of projects which have been determined to not have a significant effect on the environment and are therefore exempt from the provisions of CEQA. The District, as lead agency, has the ultimate determination on the appropriate CEQA documentation for a potential project; however, it is MIG|TRA's professional opinion that the proposed project does not have the potential to have a significant effect on the environment and is eligible for a Class 1 and Class 14 Categorical Exemption under CEQA Guidelines Section 15301 (Existing Facilities) and 15314 (Minor Additions to Schools), respectively.

CEQA Guidelines Sections 15301 (Class 1) and 15314 (Class 14) apply to existing facilities and provide for the 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. The addition of portable classrooms is included in the Class 14 exemption, and the interior alteration involving such things as interior partitions, plumbing and electrical conveyances is included in the Class 1 exemption.

The interior renovation of 14 classrooms and 2 restrooms, as well as the construction of two new restrooms primarily only alter the interior of the existing buildings by repartitioning walls and constructing new (smaller) amenities for the children. The construction of the new western kindergarten classroom's bathroom would increase the floor area of Building 3, but not by more than 2,500 square feet as discussed in CEQA Guidelines Section 15301(e)(1). Therefore, the renovations and construction of the two new restrooms qualify for a Class 1 exemption.

The construction of an additional portable classroom would not increase the original student capacity of the Bayside S.T.E.M. by more than 25% or 10 classrooms (whichever is less) as stated in the Class 14 exemption language. Although 18 classrooms would undergo remodeling, only one new portable classroom would be installed as a result of the project. The increase in capacity, which would result from the construction of the additional portable classroom, may increase student capacity by up to 30 students resulting in a new school capacity of approximately 1,080 students. The project would make use of space that is currently vacant and unused. Therefore, the project is also

eligible for categorical exemption under CEQA Guidelines Section 15314 (Class 14).

Exceptions to the use of a Categorical Exemption

Categorical Exemptions are subject to certain exceptions and other limitations that can defeat the use of the Categorical Exemption. Section 15300.2 of the CEQA Guidelines lists the “exceptions” to CEQA exemptions, or situations in which a Categorical Exemption cannot be used for a project. These are:

- (a) Location. This exception only applies to Classes 3, 4, 5, 6, and 11. As stated above, the project is considered to qualify under Class 1: Existing Facilities and Class 14: Minor Additions to Schools; therefore, the location exception does not apply.
- (b) Cumulative Impact. A categorical exemption is inapplicable when the cumulative impact of successive projects of the same type in the same place, over time, is significant. The proposed project would modernize Bayside S.T.E.M Academy to facilitate its use as an elementary and middle school. While the District does have other capital repair and school projects planned or under consideration, these other projects would occur at other schools and would not combine with impacts from the proposed project. Furthermore, the BMPs included in the project would render the project’s contribution to any potential cumulative impact less than significant (i.e., not cumulative considerable).
- (c) Significant Effect Due to Unusual Circumstances. A categorical exemption shall not be used where there is a reasonable possibility that the activity will have a significant effect on the environment due to unusual circumstances (emphasis added). The proposed projects would consist of constructing new classrooms, bathrooms, and play structures for K-5 students transferring from Parkside Elementary to Bayside S.T.E.M. Academy. No unusual circumstances exist. The residences near the school site are not unique. Although Leslie Creek runs along the west side of the school, there is no undeveloped habitat on-site and there is a BMP in place to reduce pollutants from flowing into the creek. Furthermore, the project is outside of the San Francisco Bay Conservation and Development Commission. The project does not involve large earth moving activities; the main ground disturbance would be a result of play structures being installed at Bayside S.T.E.M. Academy. The site is relatively flat and the project does not involve significant grading. The area of disturbance is minimal and is estimated have little to no excavated material for off-haul.

- (d) Scenic Highways. A categorical exemption shall not be used for a project which may result in damage to scenic resources within an officially-designated state scenic highway. The project site is four miles from Interstate 280, which is a designated State Scenic Highway (Caltrans 2011). The project would not damage scenic resources within, and is not visible from, this State Scenic Highway.
- (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 (the Cortese List). The proposed project is not located on any such site (DTSC 2016a, 2016b, 2016c).
- (f) Historical Resources. A categorical exemption shall not be used when the project may cause a substantial adverse change in the significance of a historical resource. The proposed project would not affect historic resources. The Bayside S.T.E.M. Academy was constructed in 1959 and has been subject to minor interior and exterior modifications since then (SMFCSD 2016e). The project consists of the interior renovation of 18 classrooms, the relocation of four portable classrooms, the installation of one new portable classroom, and the construction of two new play structures. The addition of the portable classroom and relocation of portable classrooms and interior renovations to existing buildings on campus would not adversely impact the character of use at the site as the improvements are all school related and do not result in the demolition, destruction, relocation or alteration activities which would entail historical significance. Construction of the play structures would only disturb topsoil and has a low possibility for uncovering unrecorded archaeological or paleontological sites since the project site is already developed. The San Mateo-Foster City School District would implement best management practices in the event historic resources are discovered. The project therefore would not have a significant effect to historical resources under CEQA.

As described below, none of the exceptions that could defeat the use of a Class 1 or Class 14 Categorical Exemption apply to the proposed Bayside S.T.E.M. School Modernization Project.

Conclusion

Based on our understanding of the proposed Bayside S.T.E.M. School Modernization Project and the materials and references listed in this memo, it is MIG|TRA's professional opinion that the project would not have a significant

effect on the environment and qualifies for a CEQA Categorical Exemption under CEQA Guidelines Section 15301 (Existing Facilities) and Section 15314 (Minor Additions to Schools). Accordingly, the District should file a Notice of Exemption (NOE) for the project with the San Mateo County Clerk-Recorder's Office and the State Clearinghouse. The filing of an NOE for the project would start a 35-day statute of limitations period on legal challenges to the determination the project is exempt from CEQA.

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