



memo san jose

to: Michal Healy, Architect, LEED AP

from: Barbara Beard, Senior Project Manager

re: Cabrillo Middle School Two-Story Building Project – CEQA Categorical Exemption Documentation

date: January 30, 2018

Below is MIG's documentation for a Categorical Exemption for the Cabrillo Middle School New Two-Story Building project. Please review the stated BMPs which will be required to be included on all Plans and Specifications prepared for the project and implemented by the contractor and/or the Santa Clara Unified School District (SCUSD or District).

1. Introduction

The SCUSD is undertaking a project to build a new two-story building at Cabrillo Middle School, an existing school, located at 2550 Cabrillo Avenue in Santa Clara, California. The school currently has four classroom buildings (D, E, F, and H) as well as 13 portable classroom units (although only 12 are used for student instruction).

The SCUSD has reviewed the project description, the Best Management Practices incorporated into the project, and the potential environmental effects of implementing the proposed project, as described below. Based on this information, it is determined that the project qualifies as exempt from further CEQA analysis under Section 15314 Minor Additions to Schools. No exceptions to these exemptions have been identified as documented below. A Notice of Exemption for the project will be filed with the Santa Clara County Clerk's office.

2. Project Description

2.1 Project Location and Site Description

As stated above, the District owns and operates Cabrillo Middle School, located at 2550 Cabrillo Avenue in Santa Clara, California. The school currently has four classroom buildings (D, E, F, and H) as well as 13 portable classroom units (although only 12 are used for student instruction). The school site is roughly bordered by Cabrillo Avenue to the north, the joint use SCUSD / City of Santa Clara Walter E. Schmidt Youth Activity Center and San Tomas Expressway to the east, Lou Vera Field (baseball) and Raggio Avenue to the south, and Saratoga Creek to the

west. The school's built facilities include a parking lot, buildings, and other structures that are concentrated on the northern half of the property, while playing fields are located on the southern half of the property.

2.2 Project Characteristics

The project objectives are to replace the locker room building and provide additional classrooms to replace portables and to increase student capacity at the school. The addition of seven new classrooms would increase school enrollment by up to 245 students, or 24.7% of the existing student capacity (991 students). The project would allow for a total maximum enrollment of 1,236 students.

The proposed Project would include:

- Construction of a new two-story building (approximately 21,000 square feet) with seven classrooms and athletic locker space; and
- Removal of four temporary portable classrooms from the campus
- Other minor improvements including installation of a new fire hydrant to an existing water line, Americans with Disabilities (ADA) parking lot modifications in Parking Lot 2, and slurry seal and game court stripping on the existing black top adjacent to the proposed new two-story building.

The proposed two-story building would be located where a single-story locker room building was previously located, but was recently demolished. All construction activities would be contained within the school site. The new building would be similar in materials and colors to the existing Multipurpose Building, including Cabrillo blue/green trim and Navajo white – field color. The new building would also meet 2016 California Building Code requirements for energy efficiency. The area will contain concrete hardscape, stainless steel handrails, plaster, steel, and glass. HVAC units will be mounted on the roof behind a roof perimeter parapet.

The project would not change the area of impervious surfaces at the site as the former locker room building was bordered by hardscape (concrete and paving) and the proposed new building would not change the footprint of impervious surfaces. The proposed Project would not require any utility connections; however, the District will need to engage the City to connect the project to the municipal stormwater system.

The project does not involve the removal of any trees.

2.3 Project Phasing

Construction is expected to start in late Spring/early Summer of 2018 and end in early Spring of 2019. A school logistics plan along with specific criteria for deliveries

and heavy equipment is coordinated with the school schedule during construction. The general phasing anticipated is shown in the table below.

Phase	Estimated Construction Duration
Demolish building	Completed
Demolish utilities	8 days
Construct building pad	10 days
Structural steel work	60 days
Building dried in	90 days
Electrical work	15 days
Site work completion	30 days
Final punch list	10 days

Source: SCUSD 2017

2.3 Best Management Practices

Best Management Practices are incorporated into the project to minimize and avoid impacts to resources during project construction. 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 (SFAAB), 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 (BAAQMD 2016). The Bay Area Air Quality Management City (BAAQMD) is responsible for maintaining air quality and regulating emissions of criteria and toxic air pollutants within the SFAAB. The BAAQMD CEQA Guidelines (2017) recommend a series of “basic” and “additional” measures to manage short-term construction emissions. For all projects, the BAAQMD recommends implementation of eight Basic Construction Mitigation Measures (BAAQMD 2017) to reduce construction emissions; these basic measures are also used to meet the BAAQMD’s BMPs threshold of significant for construction fugitive dust emissions.

BMP-1: Air Quality and Dust Controls. The SCUSD and/or its contractor shall implement the following Basic Construction Measures identified by the BAAQMD:

- 1) All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered two times per day, or as needed.

- 2) All haul trucks transporting soil, sand, or other loose material off-site shall be covered.
- 3) All visible mud or dirt track-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day, or as needed. The use of dry power sweeping is prohibited.
- 4) All vehicle speeds on unpaved roads shall be limited to 15 mph.
- 5) All roadways, driveways, and sidewalks to be paved shall be completed as soon as possible. Building pads shall be laid as soon as possible after grading unless seeding or soil binders are used.
- 6) Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to five minutes (as required by the *California Airborne Toxics Control Measure*, Title 13 § 2485 of California Code of Regulations [CCR]). Clear signage shall be provided for construction workers at all access points.
- 7) All construction equipment shall be maintained and properly tuned in accordance with manufacturer's specification. All equipment shall be checked by a certified visible emissions evaluator at the beginning of construction.
- 8) Post a publicly visible sign with the telephone number and person to contact regarding dust complaints. The designated contact shall respond and take corrective action within 48 hours. The publicly visible sign shall also include the contact phone number for the BAAQMD to ensure compliance with applicable regulations.

Biological Resources

The proposed project is completely developed with buildings, pavement, sidewalks, or landscaped areas. Trees and buildings at the site provide habitat potentially suitable for nesting birds. Therefore, the following pre-construction surveys shall be required:

BMP-2a: Nesting Bird Surveys. To avoid impacts to nesting birds and violation of state and federal laws pertaining to birds, all construction-related activities (including but not limited to mobilization and staging, clearing, grubbing, vegetation removal, fence installation, demolition, and grading) should occur outside the avian nesting season (generally prior to February 1 or after August 31). If construction and construction noise occurs within the avian nesting season (from February 1 to August 31 or according to local requirements), all suitable habitats located within the project's area of disturbance including staging and storage areas plus a 250-foot buffer (passerines), 500-foot buffer (small raptors, such as accipiters), and 1,000-foot buffer (large raptors, such as buteos) around these areas shall be thoroughly surveyed, as feasible, for the presence of active nests by a qualified biologist no

more than five days before commencement of any site disturbance activities and equipment mobilization. The bird survey buffer radius may be modified in consultation with CDFW. If project activities are delayed by more than five days, an additional nesting bird survey shall be performed. Active nesting is present if a bird is sitting in a nest, a nest has eggs or chicks in it, or adults are observed carrying food to the nest. The results of the surveys shall be documented. If it is determined that birds are actively nesting within the survey area, BMP Measure 2b shall apply. Conversely, if the survey area is found to be absent of nesting birds, BMP Measure 2b shall not be required.

BMP 2b: If pre-construction nesting bird surveys result in the location of active nests, no site disturbance or mobilization of heavy equipment (including but not limited to equipment staging, fence installation, clearing, grubbing, vegetation removal, fence installation, demolition, and grading), shall take place within 250 feet of non-raptor nests, 500-feet of small raptor nests, and 1,000 feet of large raptor nests, or as determined by a qualified biologist in consultation with CDFW, until the chicks have fledged. Monitoring shall be required to ensure compliance with the MBTA and relevant California Fish and Game Code requirements. Monitoring dates and findings shall be documented.

Cultural Resources and Cultural Tribal Resources

The project site is a fully developed school campus. The project disturbance zone has been previously developed and is not known to contain cultural resources to the current depth of foundation. A Native American Heritage Commission (NAHC) Sacred Land File (SLF) search was completed on November 9, 2017 with negative results within a half mile of the project site. A California Historical Inventory System (CHRIS) records search was completed on November 11, 2017 by the Northwest Information Center (NWIC) on behalf of MIG. No resources were noted within the project site. However, two cultural resources were identified within a half mile of the project site: the historic western motel sign (p-43-001797) and a prehistoric burial (P-43-000485). The motel sign is not in the proximity of the project site and implementation of the project would not affect its historic significance. The burial is located within the Saratoga Creek channel in the near vicinity of the school boundary.

Native American burials are known to occur within creek banks generally, and Saratoga Creek specifically. Project work will be over 550 feet away from the bank of the creek. It is therefore not anticipated that project work would encounter additional buried resources, and BMPs would safeguard unknown buried resources in the case of unanticipated discovery.

BMP-4: Cultural and Cultural Tribal Resources. The District and/or its contractor shall implement the following Best Management Practices during project

construction to avoid potential impacts on unanticipated and previously unknown cultural resources:

- 1) Prior to project initiation the District and/or its contractor will ensure that all project plans used on site clearly state (in a large, legible font) the following:
"Native American burials have been discovered in the vicinity and the discovery of human remains is possible on the site. Deliberately disturbing human remains is a violation of California state law. If you discover human remains, cease work immediately and contact the Santa Clara County Coroner at (408) 793-1900. No further work will be carried out on site until the coroner and an archaeologist, if appropriate, have examined the remains."
- 2) In the event that any archaeological resources are encountered at any time during construction, it will be the responsibility of the construction project manager to stop work within 50 feet of any discovery and contact a qualified archaeologist who meets the Secretary of the Interior's Standards for Archaeology. Work in the area shall be suspended until the archaeologist prepares a plan for the evaluation of the resource and the plan is submitted to the District for approval. If the finds are suspected to be Native American in origin, the NAHC will be contacted and Native American monitoring will be initiated as directed by the NAHC.
- 3) In the event that any paleontological resources are encountered at any time during construction, it will be the responsibility of the construction project manager to stop work within 50 feet of any discovery and contact a qualified paleontologist who meets the Society of Vertebrate Paleontology's qualifications. Work in the area shall be suspended until the paleontologist prepares a plan for the evaluation of the resource and the plan is submitted to the District for approval.
- 4) Pursuant to Section 7050.5 of the Health and Safety Code and Section 5097.94 of the Public Resources Code of the State of California, in the event of the discovery of human remains during construction, the construction manager shall stop work and notify the Santa Clara County Coroner. If the Coroner determines that the remains are not subject to his/her authority, he/she shall notify the NAHC who shall attempt to identify the Most Likely descendant (MLD) of the deceased.

Geology and Soils

The design of the new building proposed by this project would be based on a geotechnical investigation to address site specific geologic and soil conditions, and seismic safety.

BMP-5: Geotechnical Report. All recommendations identified in the site-specific project geotechnical report (Geotechnical Investigation – Proposed Locker and Classroom Building, Cabrillo Middle School, 2550 Cabrillo Ave, Santa Clara, California, date October 7, 2015) shall be incorporated into the project design and construction.

Transportation and Traffic

A short-term increase in traffic during the construction period would occur from construction workers and equipment accessing the site. Heavy equipment entering and exiting the site could potentially have limited lines of sight or create hazardous traffic conditions for passenger vehicles and pedestrians. A school site logistics plan would be implemented in accordance with standard District practices.

BMP-6: School Site Logistics Plan. The District, in consultation with the construction contractor(s) shall develop a school site logistics plan which shall include, at a minimum the following:

- 1) Specific criteria to coordinate construction deliveries at the school site during construction. Deliveries shall not occur during school drop-off and pick-up times.
- 2) Specific criteria for construction equipment to operate on the school site with children present. Construction fencing and flag men shall be used as necessary to provide safety for school children.
- 3) ADA access should be maintained throughout the school and construction should not block pedestrian or bicycle travel routes.
- 3) Equipment and construction materials shall be stored in a manner as to prevent access by school children.

3. CEQA Analysis

Projects resulting in a physical change to the environment are subject to review under the California Environmental Quality Act (CEQA; Pub. Resources Code § 21000 et seq.) and the CEQA Guidelines (14 CCR §15000 et seq.). CEQA Guidelines Section 15314 allows a categorical exemption for minor additions to schools if there are no significant effects or exceptions as identified in CEQA Guidelines Section 15300.2. Project consistency with this CEQA Guideline is described below.

3.1 Class 14 Categorical Exemption, Minor Addition to Existing Schools

CEQA Guidelines. Per CEQA Guidelines Section 15314:

Class 14 consists of minor additions to existing schools within existing school grounds where the addition does not increase the original student capacity by more

than 25% or ten classrooms, whichever is less. The addition of portable classrooms is included in this exemption.

Project Consistency. As described above in the Project Description, the proposed project would replace a one-story locker room building with a two-story classroom and locker room building and remove four portables from the campus. The project would increase school enrollment by 245 students, or 24.7% of the existing student capacity (991 students).

3.3 Exceptions to Categorical Exemptions

Section 15300.2 lists the “exceptions” to CEQA exemptions, or situations in which a Categorical Exemption cannot be used for a project. These are:

- (a) **Location.** The proposed project falls under Class 14 of CEQA exempted projects involving existing facilities or replacement of existing school facilities. The location exception for Categorical Exemptions does not apply to this class of projects. The project is located in a developed urban setting and is not considered a sensitive environment.
- (b) **Cumulative Impact.** Subsequent classroom construction at Cabrillo Middle School is not anticipated at this time. The project may coincide with other District building projects on other campuses, however, due to the distance between the school sites, the impacts of the proposed project would not combine or overlap resulting in a cumulatively considerable impact.
- (c) **Significant Effect Due to Unusual Circumstances.** CEQA Guidelines state that a categorical exemption shall not be issued 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 project site is located in an urban setting and the project property is fully paved and developed with buildings as a middle school campus. The area of the campus proposed for project development has been previously disturbed by grading and construction of existing buildings and paved areas. The project site does not contain aesthetic resources. The project site is located in FEMA Flood Zone A0.1. The highest existing adjacent grade is 63.1 feet. The proposed building’s finished floor elevation is 1.05 feet above the highest adjacent grade, and therefore meets flood zone requirements. The proposed building construction would follow standard industry practices. There is nothing unusual about the building’s design, uses, or construction methods that would introduce new impacts or require special consideration. The nearest residences are over 400 feet from the proposed new building and there are several intervening structures in between the residences and proposed new building. The project would

implement Best Management Practices as identified above in the Project Description. No other unusual circumstances exist.

- (d) **Scenic Highways.** The project site is over seven miles from State Route 9, the nearest designated State Scenic Highway within Santa Clara County (Caltrans 2011). The project site is not visible from this State Scenic Highway.
- (e) **Hazardous Waste Sites.** The proposed project involves improvements including replacing an existing building at the school site and the removal of portable classrooms. The site is also not listed pursuant to the Government Code Section 6592.5 by the Department of Toxic Substances Control or the California EPA (DTSC 2017; SWRCB 2017).
- (f) **Historical Resources.** The project site is a developed site that has been developed and redeveloped numerous times since the school was first constructed. The entire site is considered highly disturbed. Measures to protect cultural resources inadvertently discovered during construction would be included in project plans and specifications.

References:

- California Department of Toxic Substances Control. 2017. EnviroStor Database. <https://www.envirostor.dtsc.ca.gov/public/map/?myaddress=2550+Cabrillo+Ave,+Santa+Clara,+Ca>. Accessed October 8, 2017.
- State Water Resources Control Board. 2017. Geotracker Database. <https://geotracker.waterboards.ca.gov/map/?CMD=runreport&myaddress=2550+Cabrillo+Ave>. Accessed October 8, 2017.
- California Department of Transportation (Caltrans). 2011. California Scenic Highway Mapping System. Updated Sept. 7. http://www.dot.ca.gov/hq/LandArch/16_livability/scenic_highways/index.htm. Accessed January 19, 2018.
- Native American Heritage Commission (NAHC). 2017. Sacred Lands File Search, November 9, 2017.
- Northwest Information Center (NWIC), Sonoma State University 2017. California Historical Resources Information System - Record Search, File No. 17-1326. November 30, 2017.
- SFA. 2017. Site Plans for Cabrillo Middle School New Two-Story Building. Sept 21. Electronic file: "Cabrillo_Locker Bld DSA Approved Drawings_Partial Set.pdf"