

RESOLUTION NO. 21, 2020-21

RESOLUTION OF THE BOARD OF EDUCATION OF THE ELK GROVE UNIFIED SCHOOL DISTRICT ADOPTING THE MITIGATED NEGATIVE DECLARATION FOR THE “LAGUNA RIDGE EAST” ELEMENTARY SCHOOL PROJECT

WHEREAS, the Elk Grove Unified School District (District) has prepared an initial study in accordance with the California Environmental Quality Act (CEQA) (Public Resources Code [PRC] Section 21000 et seq.) and the State CEQA Guidelines (14 California Code of Regulations [CCR] Section 15000 et seq.) on the “Laguna Ridge East” Elementary School Project (“the Project”); and

WHEREAS, on the basis of the initial study (IS), the District has determined that, although the proposed Project, without mitigation, could have had a significant effect on the environment, there will not be a significant effect in this case because revisions in the proposed Project, in the form of mitigation measures, were made by the project proponent (the District) prior to the release of the document for public review, making the preparation of a Mitigated Negative Declaration (MND) appropriate; and

WHEREAS, pursuant to PRC Section 21081.6(a)(1), the District has prepared a Mitigation Monitoring Plan for the Project; and

WHEREAS, the project site located at the northwest corner of Poppy Ridge Road and Lousada Drive in the City of Elk Grove, California.

WHEREAS, the District has consulted with the City of Elk Grove, and has determined, pursuant to California Education Code [EC] Section 17213(a) PRC Section 21152.8(a) and CEQA Guidelines section 15186, that the proposed Project site:

- 1) is not currently or formerly a hazardous waste disposal site or solid waste disposal site (EC Section 17213[a][1], PRC Section 21151.8[a][1][A]);
- 2) is not currently or formerly a substance release site identified by the California Department of Toxic Substances Control (DTSC) (EC Section 17213[a][2], PRC Section 21151.8[a][1][B]);
- 3) does not contain one or more, above ground or below ground, pipelines which carry hazardous substances, acutely hazardous materials, or hazardous waste (EC Section 17213[a][3], PRC Section 21151.8[a][1][C]); and
- 4) is not within 500 feet of the edge of the closest traffic lane of a freeway or other busy traffic corridor (PRC Section 21151.8[a][1][D]); and

WHEREAS, the District has consulted with the Sacramento Metropolitan Air Quality Management District and has, pursuant to EC Section 17213(b) and PRC Section 21151.8(a)(2), determined that there are no facilities within one quarter mile of the proposed project that might reasonably be anticipated to emit hazardous air emissions or to handle hazardous or acutely hazardous materials, substances, or waste; and

WHEREAS, the District has, pursuant to EC Section 17213(b) and PRC Section 21151.8(a)(2), consulted with the administering agencies and has independently investigated surrounding properties, and has identified no permitted or unpermitted “facilities” or other significant pollution sources within one quarter mile of the proposed project that might reasonably be anticipated to emit hazardous air emissions or to handle hazardous or acutely hazardous materials, substances, or waste; and

WHEREAS, because the proposed Project site does not lie within two nautical miles of an existing airport runway as defined, the District was not required, pursuant to EC Section 17215 and the provisions set forth by the Division of Transportation Aeronautics Program and the California Department of Education, to conduct an Aviation Safety Analysis; and

WHEREAS, in accordance with the requirements of Title 14, California Code of Regulations, Section 15073(a), the proposed mitigated negative declaration and initial study were submitted to the State Clearinghouse for review by state agencies; and

WHEREAS, the District has determined that the Project is *de minimis* in its effect either individually or cumulatively on wildlife; and

WHEREAS, on November 10, 2020, the IS/MND for the proposed project was released for the 30-day public review period; and

WHEREAS, the District received written comments on the IS/MND during the public review period, which ended on December 9, 2020; and

WHEREAS, such written comments were received from public entities; and

WHEREAS, all such oral and written comments have been included within, and responded to, in the IS/MND; and

NOW, THEREFORE, the Board of Education of the Elk Grove Unified School District (Board) does hereby resolve, determine, and order as follows:

I. SECTION 1: Recitals

The above recitals are true and correct, and the Board hereby so finds.

II. SECTION 2: Board Action

- A. The Board adopts the Proposed Mitigated Negative Declaration.
- B. The Board adopts the Mitigation Monitoring Plan.

- C. The Board approves the Elk Grove Unified School District “Laguna Ridge East” Elementary School Project as being suitable for use as a PreK-6 public school with all applicable requirements and provisions of the California Education Code and applicable regulations as referenced herein.
- D. The Board finds that the Project site is not currently or formerly a hazardous waste disposal site or solid waste disposal site (EC Section 17213[a][1], PRC Section 21151.8[a][1][A]).
- E. The Board finds that the Project site is not currently or formerly a substance release site identified by the California Department of Toxic Substances Control (DTSC) (EC Section 17213[a][2], PRC Section 21151.8[a][1][B]).
- F. The Board finds that the Project site does not contain one or more, above ground or below ground, pipelines which carry hazardous substances, acutely hazardous materials, or hazardous waste (EC Section 17213[a][3], PRC Section 21151.8[a][1][C]).
- G. The Board finds that the Project site is not within 500 feet of the edge of the closest traffic lane of a freeway or other busy traffic corridor (PRC Section 21151.8[a][1][D]).
- H. The Board finds, pursuant to EC Section 17213(b) and PRC Section 21151.8(a)(2), that there are no facilities within one quarter mile of the Project site that might reasonably be anticipated to emit hazardous air emissions or to handle hazardous or acutely hazardous materials, substances, or waste.
- I. The Board finds, after consulting with the administering agencies and independently investigating surrounding properties pursuant to EC Section 17213(b) and PRC Section 21151.8(a)(2), that no permitted or unpermitted “facilities” or other significant pollution sources were identified within one quarter mile of the Project site that might reasonably be anticipated to emit hazardous air emissions or to handle hazardous or acutely hazardous materials, substances, or waste.
- J. The Board hereby authorizes District staff to coordinate with administration, staff, consultants, and agencies to complete the work necessary to implement the Project.
- K. The Board hereby directs District staff to prepare a Notice of Determination for the project and to provide it for posting to the County Clerk of Sacramento County within five days of the adoption of this resolution.
- L. For purposes of CEQA and these findings, the Record of Proceedings for the Project consists of those documents in the possession of the Elk Grove Unified School District described in Public Resources Code section 21167.6, subdivision (e), other than those documents that are subject to one or more privileges, and notes that the custodian of the record is:

Susan Bell
Chief Facilities Officer, Facilities and Planning
Robert L. Trigg Education Center
9510 Elk Grove - Florin Road, Room 206
Elk Grove, CA 95624

APPROVED AND ADOPTED by the Board of Education of the Elk Grove Unified School District this 15th Day of December 2020 by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

Beth Albiani, President
Board of Education

ATTEST:

Christopher R. Hoffman, Secretary
Board of Education

Attachments:

Exhibit A: Initial Study/Proposed Mitigated Negative Declaration, Mitigation Monitoring Plan and Response to Comments for the “Laguna Ridge East” Elementary School Project