

IRVINE UNIFIED SCHOOL DISTRICT

RESOLUTION NO. 16-17-39

**RESOLUTION OF THE BOARD OF EDUCATION OF
THE IRVINE UNIFIED SCHOOL DISTRICT
APPROVING ADDENDUM TO THE PREVIOUSLY CERTIFIED ORANGE COUNTY
GREAT PARK ENVIRONMENTAL IMPACT REPORT FOR THE HERITAGE FIELDS
K-8 SCHOOL #2 PROJECT, ALONG WITH THE REVISED MITIGATION
MONITORING AND REPORTING PROGRAM FOR THE CONSTRUCTION AND
OPERATION OF THE PROPOSED HERITAGE FIELDS K-8 SCHOOL #2 PROJECT,
AND DETERMINING THAT SAID ADDENDUM TOGETHER WITH OTHER
PREVIOUSLY-APPROVED ENVIRONMENTAL DOCUMENTATION, SERVES AS
THE APPROPRIATE ENVIRONMENTAL DOCUMENTATION FOR ADOPTING
WRITTEN FINDINGS PURSUANT TO THE CALIFORNIA ENVIRONMENTAL
QUALITY ACT; APPROVING THE PROJECT; AND DELEGATING AUTHORITY TO
STAFF TO EXECUTE THE NOTICE OF DETERMINATION**

WHEREAS, the Governing Board (Board) of the Irvine Unified School District (District or IUSD) desires to develop a K-8 School #2, located on an approximately 13-acre area bounded by the future streets Benchmark on the north and east, Cadence to the south, and Theme to the west, south of Irvine Boulevard near Modjeska, in the Orange County Great Park Plan in the City of Irvine, Orange County (Site), and

WHEREAS, the Board desires to have the IUSD construct, operate, and maintain a new 1,000-student enrollment capacity K-8 school with a full complement of buildings and amenities (Project); and,

WHEREAS, the IUSD, acting as the Lead Agency as defined in Section 21067 of the Public Resources Code, has undertaken the preparation of an addendum to the Orange County Great Park Environmental Impact Report, for the proposed Heritage Fields K-8 School #2 (Addendum) (California State Clearinghouse No. 2002101020), an environmental assessment and study of the Project; and

WHEREAS, in compliance with CEQA Guidelines, and for the record, the District has prepared: (1) The Addendum to the Orange County Great Park Environmental Impact Report, for the proposed Heritage Fields K-8 School #2; (2) Mitigation Monitoring and Reporting Program and, (3) a Notice of Determination for filing with the Orange County Clerk's Office, all of which are incorporated into this Resolution by reference and are kept at the Irvine Unified School District Facilities Planning & Construction Office, located at 2015 Roosevelt, in the City of Irvine; and

WHEREAS, prior to taking action on the Project, the District has evaluated and considered the Addendum along with the Final Orange County Great Park Environmental Impact Report, and all its related supplements and addenda (Certified EIR); and

WHEREAS, the Board has determined that the Addendum is adequate, complete, and has been prepared in accordance with CEQA; and incorporated therein the revised mitigation measures described in the Addendum and the Mitigation Monitoring and Reporting Program; and

WHEREAS, the Addendum has been prepared in compliance with CEQA and reflects the Board's independent judgment and analysis; and

WHEREAS, pursuant to Education Code Section 17211, the District is required to evaluate potential school sites and new construction on existing school sites using site selection standards established by the State Department of Education pursuant to Education Code Section 17251(b) and California Code of regulations (CCR) Title 5 Section 14033; and

WHEREAS, the District, pursuant to Public Resources Code Section 21151.8(a) Education Code Section 17213, has consulted with appropriate agencies and determined that (a) the Site is not the site of a current or former hazardous waste disposal site or solid waste disposal site; (b) the Site is not a hazardous substance release site identified in a list of sites for which removal or remediation action is planned, compiled by the Department of Health Services pursuant to Health and Safety Code Section 25356; (c) the Site is not a site that contains one or more pipelines, situated underground or aboveground, that carry hazardous substances, acutely hazardous materials, or hazardous wastes, unless the pipeline is a natural gas line which is used only to supply natural gas to that school or neighborhood; and (d) the Site is not within 500 feet of the edge of the closest traffic lane of a freeway or other busy traffic corridor; and

WHEREAS, the District, pursuant to Public Resources Code Section 21151.8(a)(2), has consulted with administering agencies with jurisdiction over the Project for the purpose of investigating the potential for permitted and nonpermitted hazardous or acutely hazardous air emissions within one-quarter of a mile of the Site and has determined that there are no facilities within one-quarter mile of the Site that might reasonably be anticipated to emit hazardous air emissions that pose an actual or potential endangerment to persons who attend and/or work at the Project; and

WHEREAS, the Addendum and all supporting material, which constitute a record of these proceedings, are kept at the Irvine Unified School District Facilities Planning & Construction Office, located at 2015 Roosevelt, in the City of Irvine;

NOW, THEREFORE, the Irvine Unified School District Governing Board does hereby resolve:

1. That the foregoing recitals are true and correct;
2. The Board certifies that: (1) the Addendum for the Project has been prepared in compliance with CEQA; (2) the Addendum was presented to the Board along with the Final Orange County Great Park Environmental Impact Report, and all its related supplements and addenda, and it reviewed and considered this information prior to approving the Project; and (3) the Addendum reflects the Board's independent judgment and analysis;
3. The Board hereby adopts the Mitigation Monitoring and Reporting Program for the Project, incorporated herein by reference, and the Addendum;

4. The Board hereby delegates authority to the District Superintendent, or the Superintendent's designee, to cause a Notice of Determination to be filed with the Orange County Clerk and the State Clearinghouse.
5. The Board hereby finds that the Site meets the site standards established by the California Department of Education, as applicable pursuant to Title 5 Section 14033;
6. The Site has not been identified as a hazardous substance release site, is not a current or former hazardous waste disposal site, and does not contain one or more underground or aboveground pipelines carrying hazardous substances, acutely hazardous materials, or hazardous waste.
7. The District has consulted with the air quality management district with jurisdiction over the Site and identified permitted and nonpermitted facilities within one-quarter mile of the Site that might reasonably be anticipated to emit hazardous emissions and concluded that emissions generated from the facilities are not anticipated to pose an actual or potential endangerment to persons who attend and/or work at the Project;
8. The Site is not located within 500 feet of the edge of the closest traffic lane of a freeway or other busy corridor, as defined in Education Code Section 17213(c)(2)(C), that would create a health hazard or exposure to a high level of pollutants.
9. The findings made in this Resolution are based upon the information and evidence set forth in the Addendum and upon substantial evidence which has been presented in the record of these proceedings; the Addendum and all supporting material, which constitute a record of these proceedings, will be kept at the Irvine Unified School District Facilities Planning & Construction Office, located at 2015 Roosevelt, in the City of Irvine.
10. The Board hereby approves the project described in the Addendum as the Heritage Fields K-8 School #2 Project.

ADOPTED, SIGNED AND APPROVED this 7th day of February 2017.

IRVINE UNIFIED SCHOOL DISTRICT
GOVERNING BOARD

By _____
President of the Irvine Unified School District
Governing Board

ATTEST:

Secretary of the Irvine Unified School District

CLERK'S CERTIFICATE

I, Sharon Wallin, Clerk of the Board of Education of the Irvine Unified School District, of the County of Orange, California, hereby certify as follows:

The attached is a full, true and correct copy of a resolution duly adopted at a regular meeting of the Board of Education of the District duly and regularly held at the regular meeting place thereof on _____, 2017, and entered in the minutes thereof, of which meeting all of the members of the Board of Education had due notice and at which a quorum thereof was present. The resolution was adopted by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

An agenda of the meeting was posted at least 72 hours beforehand at 5050 Barranca Parkway, Irvine, California, a location freely accessible to members of the public, and a brief description of the adopted resolution appeared on the agenda. A copy of the agenda is attached hereto. The resolution has not been amended, modified or rescinded since the date of its adoption, and the same is now in full force and effect.

WITNESS my hand this _____ day of _____, 2017.

Clerk of the Board of Education
Irvine Unified School District