

NOTICE OF EXEMPTION

To: ☒ Office of Planning and Research
1400 Tenth Street, Room 121
Sacramento, CA 95814

From: Newport-Mesa Unified School District
2985 Bear Street, Building E
Costa Mesa, CA 92626

☒ County Clerk
County of Orange
12 Civic Center Plaza, Room 101
Santa Ana, CA 92701

Newport – Mesa Unified School District Maintenance Facility Bus Garage Lift Replacement Project
Project Title

2985 Bear Street
Project Location - Specific

Costa Mesa
Project Location – City

Orange
Project Location – County

The proposed project consists of the replacement of three in-ground vehicle lifts with two above-ground lifts. The project involves the demolition of the concrete floor and installation of a new concrete floor. The project benefits the school's bus maintenance program.
Description of Nature, Purpose, and Beneficiaries of Project

Newport-Mesa Unified School District
Name of Public Agency Approving Project

Newport-Mesa Unified School District
Name of Person or Agency Carrying Out Project

Exempt Status: (check one below)

- ☐ 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, CCR §15301, Existing Facilities and Class 2, CCR §15302, Replacement or Reconstruction.
- ☐ Statutory Exemptions. State code number: _____

Reasons why project is exempt

The proposed vehicle lift replacement projects qualifies for a categorical exemption under Class 1, Existing Facilities and Class 2, Replacement or Reconstruction. Two new above-ground vehicle lifts will be replacing three in-ground vehicle lifts and will be located within the same existing structure. See Attachment to Notice of Exemption for additional information, available at the District Facilities Office, Building E, for further explanation of the evaluation.

Contact Person:
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Area Code/Telephone/Extension:
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If filed by applicant:

1. Attach certified document of exemption findings
2. Has a Notice of Exemption been filed by the public agency approving ☒ Yes ☐ No
the project

Date
Received for
Filing: _____

Signature: _____ Title: _____

Attachment to Notice of Exemption

Newport - Mesa Unified School District Maintenance Facility – Bus Garage 2985 Bear Street, Costa Mesa Supplemental Information August 2021

The Newport-Mesa Unified School District (District) proposes to replace existing vehicle lifts in the bus garage at Newport-Mesa Unified School District Maintenance Facility. This supplemental information provides justification for the Categorical Exemption pursuant to the California Environmental Quality Act (CEQA) Guidelines under California Code of Regulations, Title 14 § 15301 and 15303.

1. EXISTING CONDITIONS

PROJECT LOCATION

Newport-Mesa Unified School District Maintenance Facility is located at 2985 Bear Street, in the City of Costa Mesa in Orange County (see Figure 1, *Regional Location*). Regional access to the Maintenance Yard is from I-405 located 0.5 mile to the north and SR-73 located 0.15 mile to the east and local access is off Bear Street on the east and Baker Street to the north. The District offices includes the Education Center, district offices, assembly room, food service warehouse, transportation, facilities, maintenance and operations, and the maintenance yard with bus barn (Figure 2, *Aerial Photograph*).

EXISTING CONDITIONS

The bus garage, Building D, is part of the District's Maintenance Facility located to the south of District offices, east of food service center warehouse building, and north of Maintenance and Operations, Building E. Underground storage tanks (USTs) and fuel dispensers are located to the south southeast of the bus garage. The bus garage is a concrete block building on the north with large metal sliding doors for access for the buses to enter for maintenance. The floor of the building is concrete slab with a concrete apron outside the structure on the east and asphalt that is used for parking on all sides of the structure. An employee outdoor break area is located near the northeast corner of the structure.

Main vehicular access for the buses is provided by a driveway to the east of the site off Bear Street. A block wall with wrought iron gate is located to the east along Bear Street.

SURROUNDING LAND USES

The District offices are surrounded by residences to the east, Baker Street followed by residential to the north, small commercial buildings, and condominiums to the east across Bear Street, the Paularino Channel followed by homes to the south and Sonora Elementary School to the southwest.

2. PROJECT DESCRIPTION

Newport-Mesa Unified School District is planning to demolish the concrete floor of the bus garage and remove three in-ground vehicle lifts and associated equipment. Following the removal of the vehicle lifts a new concrete floor will be laid and two above-ground lifts will be installed for maintenance of school

buses and other district vehicles. The proposed project is scheduled to begin construction September 2021 and is anticipated to be completed before the end of 2021.

3. REASONS WHY THE PROJECT IS EXEMPT

The project is exempt from further environmental review under the requirements of the California Environmental Quality Act (Public Resources Code §§ 21000 et seq.) because it is consistent with Class 1, Existing Facilities and Class 2, Replacement or Reconstruction as explained below.

- » **Class 1, Existing Facilities (CEQA Guidelines § 15301)** consists of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of use beyond that existing at the time of the lead agency's determination. The key consideration is whether the project involves negligible or no expansion of an existing use.
- » **Class 2, Replacement or Reconstruction (CEQA Guidelines § 15302)** consists of replacement or reconstruction of existing structures and facilities where the new structure will be located on the same site as the structure replaced and will have substantially the same purpose and capacity of the structure replaced, including, and not limited to:
 - (a) Replacement or reconstruction of existing schools and hospitals to provide earthquake resistant structures which do not increase capacity more than 50 percent.
 - (b) Replacement of a commercial structure with a new structure of substantially the same size, purpose, and capacity.
 - (c) Replacement or reconstruction of existing utility systems and/or facilities involving negligible or no expansion of capacity.

The project involves the replacement of existing in-ground vehicle lifts with new above-ground vehicle lifts in the bus garage. Existing uses of the vehicle lifts would stay the same under the proposed project with no expansion of use. The lifts will be located within the same building, Building D, the bus garage with no expansion of capacity. Therefore, the proposed project is exempt from further environmental review under CEQA Guidelines § 15301 and § 15302.

4. REVIEW OF EXCEPTIONS TO THE CATEGORICAL EXEMPTION

Section 21084 of the California Public Resources Code requires the CEQA Guidelines to include a list of classes of projects that have been determined not to have a significant effect on the environment and which shall, therefore, be exempt from the provisions of CEQA.

The proposed project has been reviewed under CEQA Guidelines § 15300.2 for any characteristics or circumstances that might invalidate findings that the project is exempt from CEQA. CEQA Guidelines § 15300.2 identifies six possible exceptions to categorical exemptions.

A. Location

Categorical exemption classes 3, 4, 5, 6, and 11 are qualified by consideration of where the project is to be located—a project that is ordinarily insignificant in its impact on the environment may in a particularly sensitive environment be significant. Therefore, these classes are considered to apply all instances, except where the project may impact on an environmental resource of hazardous or critical concern where designated, precisely mapped, and officially adopted pursuant to law by federal, state, or local agencies. (§ 15300.2a)

The proposed Class 1 and Class 2 categorical exemptions do not fall within the classes that may be subject to an exception due to location. Nevertheless, this exception is addressed.

The project site has been used as a bus maintenance yard since at least 1972. The area that would be disturbed by the proposed replacement project do not contain sensitive biological habitats. The district office area has buildings, asphalt parking lots, concrete driveways and walkways, and ornamental landscaping. Due to the developed nature and frequent human disturbance, it does not contain any sensitive biological species or habitat. No mapped wetlands exist on the site (FWS 2021). A mapped channelized riverine, the Paularino Channel is to the south of the site. Additionally, there is no evidence of hazardous materials or substances (see section (e) below). Therefore, this exception does not apply to the project.

To the south of the bus garage, remediation of subsurface soil and groundwater is occurring due to leaking underground storage tanks (USTs). The former UST area has been extensively assessed and remediated under the oversight of the Orange County Health Care Agency. The bus yard is near an upgradient monitoring well for the UST investigation that has reportedly had very low to non-detect concentrations of petroleum hydrocarbon related compounds. There is no evidence of hazardous materials or substances within the project area (see Section E below). Therefore, this exception does not apply to the project.

B. Cumulative Impacts

All exemptions for these classes are inapplicable when the cumulative impact of successive projects of the same type in the same place, over time is significant. (Section 15300.2b)

Operational impacts of the new vehicle lifts would be comparable to those of the existing lifts. Construction impacts would consist largely of noise impacts. Construction activities would be limited to between the hours of 7:00 AM and 7:00 PM Monday through Friday, and 9:00 AM to 6:00 PM Saturday, except for federal holidays, pursuant to the City of Costa Mesa Municipal Code Section 13-279. No significant cumulative impact would occur, and the cumulative impacts exception would not apply to project implementation at the District's maintenance yard.

C. Significant Effects

A categorical exemption shall not be used for an activity where there is a reasonable possibility that the activity will have a significant effect on the environment due to unusual circumstances. (Section 15300.2c)

The project site is on a currently occupied District maintenance yard. The bus garage was constructed around 1972. There is no reasonable possibility that the project will have a significant effect on the environment due to unusual circumstances. Proposed improvements will not alter the existing uses. The construction manager will execute construction activities per current local, state, and federal laws, regulations, construction Best Management Practices, District standards and guidelines. The bus garage project is limited to the replacement of in-ground lifts with above-ground vehicle lifts located within the bus garage. The area of ground disturbance is limited, and there is no natural habitat or other unique, sensitive resources on the project site. The significant effects exception does not apply to project implementation at the maintenance yard.

D. Scenic Highways

A categorical exemption shall not be used for a project which may result in damage to scenic resources, including but not limited to, trees, historic buildings, rock outcroppings, or similar resources, within a highway officially designated as a state scenic highway. (Section 15300.2d)

According to the California Department of Transportation (Caltrans) California Scenic Highway Mapping System there are no designated state scenic highways in the vicinity of the District maintenance yard. (Caltrans 2021). Pacific Coast Highway is located approximately 5 miles to the south, and while it is designated as an “eligible” state scenic highway, it is not “officially designated”. The project site is not readily visible from this roadway, and the intended view from Pacific Coast Highway is toward the ocean. The project site is already developed as part of the bus garage and is not part of any scenic resources. The project would not affect scenic resources along any officially designated or eligible scenic highways. Therefore, this exception does not apply to the proposed project.

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. (§ 15300.2e)

California Government Code § 65962.5 requires designated agencies to compile lists of the certain types of hazardous materials sites: hazardous waste facilities subject to corrective action; hazardous waste discharges for which the State Water Quality Control Board has issued certain types of orders; public drinking water wells containing detectable levels of organic contaminants; underground storage tanks with reported unauthorized releases; and solid waste disposal facilities from which hazardous waste has migrated.

Five environmental databases were searched for hazardous materials sites on Estancia High School and within a 500-foot buffer surrounding the school in August 2021.:

- GeoTracker. State Water Resources Control Board
- EnviroStor. Department of Toxic Substances Control (DTSC)
- EIScreen, US Environmental Protection Agency
- EnviroMapper. US Environmental Protection Agency
- Solid Waste Information System (SWIS). California Department of Resources Recovery and Recycling (CalRecycle).

The site is listed on GeoTracker as a leaking underground storage tank (LUST) site and on EnviroMapper as a handler of hazardous waste. The hazardous waste generation is compliant with the EPA, has had no penalties or inspections in the past five years, and would not impact the project. No further information on this site is provided in the Detailed Facility Report by the EPA.

The LUST site is currently under the oversight of the Orange County Health Care Agency (OCHCA) the local regulatory agency under the Regional Water Resources Control Board for management of LUSTs in the area. The former USTs at the Newport-Mesa Unified School District included one 10,000-gallon diesel, one 500-gallon waste-oil, and one 280-gallon waste oil UST that were removed in June 1997. The excavated tanks were replaced with one 10,000-gallon unleaded gasoline UST and one 15,000-gallon diesel UST. One 500-gallon waste oil UST was also installed in a new tank cavity west of Building A. The USTs were located to the southeast of the bus garage, the project site.

The District has conducted a series of remedial actions to mitigate the discovered total petroleum impacts to groundwater with more than 18 years of groundwater monitoring, and approximately 7.5 years of groundwater recovery via pump and treat has occurred. The District has been in verification monitoring since September 2018. A total of 34 groundwater monitoring and/or recovery wells are associated with the assessment and remediation activities, with two groundwater monitoring wells (MW-1 and MW-2) installed within the project site as shown in Figure 3, Facility Map. HIT Event and Low Threat Closure Summary Report indicates that concentrations in groundwater are stable or decreasing (Cardno 2021).

After the former USTs were removed in 1997, approximately 182 tons of hydrocarbon-impacted soil were removed to 16 feet bgs (below ground surface) and disposed of offsite. Soil vapor extraction was conducted between February 2005 and December 2015, which removed 8,997.5 pounds of vapor phase total petroleum hydrocarbons. Between April 2011 and September 2018, approximately 7,362,240 gallons of water were extracted and treated by the on-site groundwater pump and treat system. Pump and treat efforts hydraulically controlled the movement of shallow groundwater and effectively reduced hydrocarbon concentrations in groundwater both on and off site with benzene and MTBE (Methyl tert-butyl ether) concentrations stabilized well below a target concentration of 3,000 ppb (parts per billion; Cardno 2021). Groundwater flow is to the southwest and northeast, controlled by the channel and the pump and treat system. Groundwater flow is cross gradient to the project site. The small plume is located to the south of the project site. The two groundwater monitoring wells located within the project area have had infrequent low concentrations of total petroleum hydrocarbons and its constituents

F. Historic Sites

A categorical exemption shall not be used for a project which may cause a substantial adverse change in the significance of historical resources. Under Public Resource Code § 21084.1, a historical resource is a resource listed in or determined to be eligible for listing in the California Register of Historical Resources. Additionally, historical resources included in a local register of historical resources are presumed to be historically or culturally significant, and a lead agency can determine whether the resource may be an historical resource.

The Costa Mesa general plan was searched for cultural resources on the District maintenance yard, which did not identify any significant historic resources. The District offices are not identified in Table HCR-1 of the Costa Mesa General Plan, “Historical Resources Eligibility Inventory,” as a historic resource (City 2016). No structure would be removed or altered with implementation of the proposed project. There are no historic resources on the campus that are listed on the National Register of Historic Places (NPS 2021), the California Register of Historical Resources (OHP n.d.), or as a California State Historical Landmark (OHP n.d.). Project implementation would not cause significant impacts to historical resources, and the historical resources exception would not apply to this project site.

G. Conclusion

The proposed project at the bus garage at the District maintenance yard is exempt from CEQA review pursuant to CEQA guidelines 15301 and 15302. As substantiated in this document, the proposed project would not meet the conditions specified in § 15300.2, Exceptions, of the CEQA Guidelines, and the project is categorically exempt under Class 1 and Class 2.

5. REFERENCES

- California Department of Resources Recycling and Recovery (CalRecycle). 2021, December 17. SWIS
- California Department of Toxic Substances Control (DTSC). 2021. EnviroStor. <http://www.envirostor.dtsc.ca.gov/public/>.
- California Department of Transportation (Caltrans). 2021. California Scenic Highway Mapping System. http://www.dot.ca.gov/hq/LandArch/16_livability/scenic_highways/.
- California State Water Resources Control Board (SWRCB). 2021. GeoTracker. <http://geotracker.waterboards.ca.gov/>.
- Cardno. 2021. HIT Event and Low Threat Closure Summary Report. Newport-Mesa Unified School District, Baker-Bear Street Facility, 2985 Bear Street, Costa Mesa, California OCHCA Case #97UT021. June
- City of Costa Mesa. 2016, General Plan. <https://www.costamesaca.gov/city-hall/city-departments/development-services/approved-plans-for-city/2015-2035-general-plan>
- National Park Service (NPS). 2021. National Register of Historic Places. <https://www.nps.gov/maps/full.html?mapId=7ad17cc9-b808-4ff8-a2f9-a99909164466>.

Office of Historic Preservation (OHP). n.d. California Historical Resources.
<http://ohp.parks.ca.gov/ListedResources/?view=county&criteria=33>.

US Environmental Protection Agency (USEPA). 2021. EJSCREEN. <https://ejscreen.epa.gov/mapper/>.

US Environmental Protection Agency (USEPA). 2021. EnviroMapper for EnviroFacts.
<https://www.epa.gov/emefdata/em4ef.home>.

U.S. Fish & Wildlife Service (FWS). 2021. National Wetlands Inventory – Wetlands Mapper.
<https://www.fws.gov/wetlands/data/mapper.HTML>.

Figure 1 - Regional Location



Note: Unincorporated county areas are shown in white.

Source: ESRI, 2021

0 3
Scale (Miles)



Figure 2 - Aerial Photograph



Project Boundary

Newport-Mesa
Unified School District

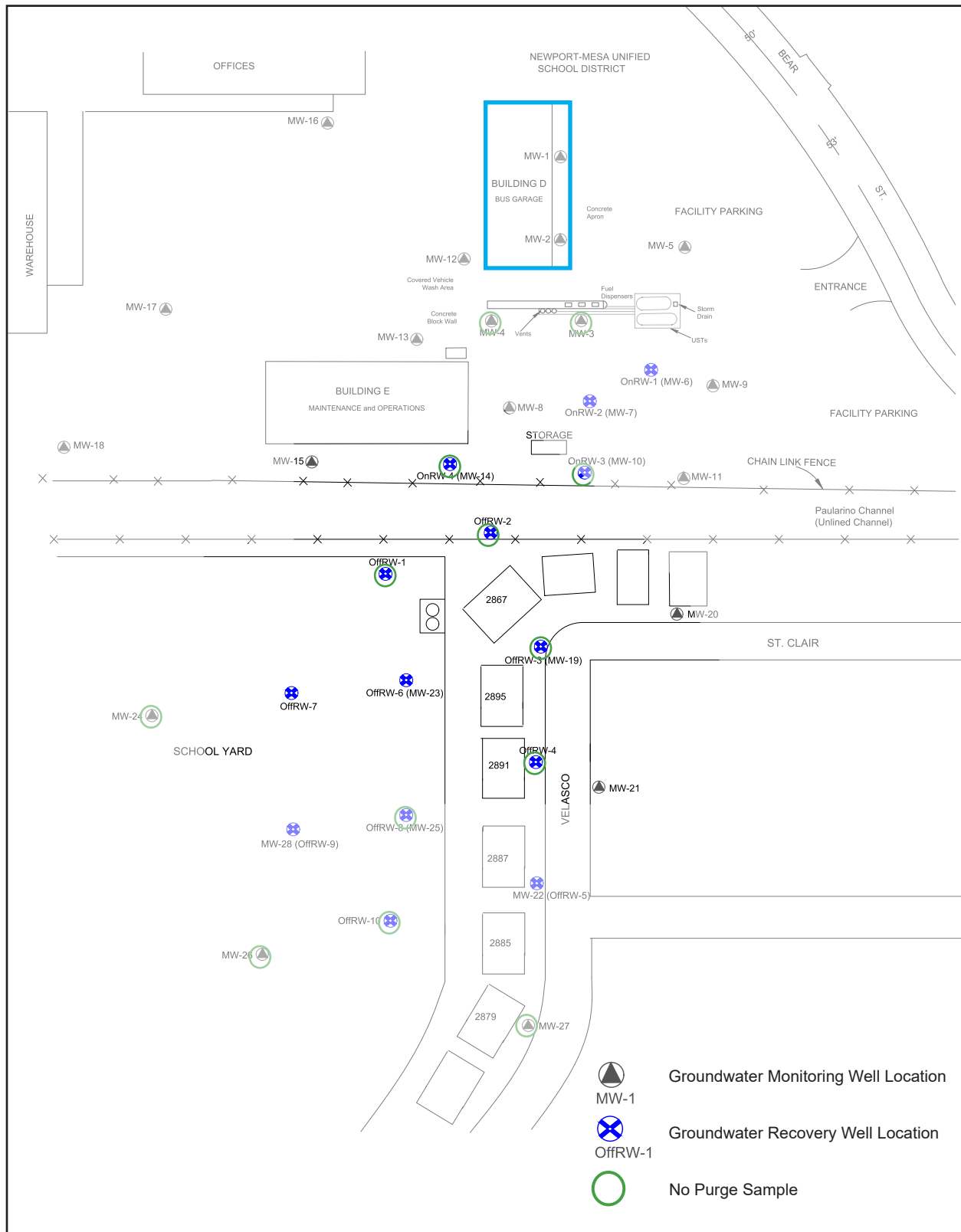
0 225
Scale (Feet)



Source: Nearmap, 2021

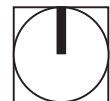
PlaceWorks

Figure 3 - Facility Map



Project Boundary

0 150
Scale (Feet)



Source: ADvTech Environmental, Inc, 2020

PlaceWorks