

Notice of Exemption

Appendix E

To: Office of Planning and Research
P.O. Box 3044, Room 113
Sacramento, CA 95812-3044
County Clerk
County of: Stanislaus
1021 I Street, Suite 101
Modesto, CA 95354

From: (Public Agency):
Sylvan Union School District
605 Sylvan Avenue; Modesto, CA 95350
(Address)

STANISLAUS CO. CLERK-RECORDER
2019 MAY 20 AM 9:36

FILED

Project Title: Elizabeth Ustach Middle School Modernization

Project Applicant: Sylvan Union School District

Project Location - Specific:
Elizabeth Ustach Middle School: 2701 Kodlak Drive, Modesto

Project Location - City: Modesto Project Location - County: Stanislaus

Description of Nature, Purpose and Beneficiaries of Project:
The project proposes to provide modernization to existing buildings, new HVAC upgrades, improvements for accessibility compliance, and a minor addition to the food service area of the Multipurpose Building. The project is not increasing student capacity.

Name of Public Agency Approving Project: Sylvan Union School District

Name of Person or Agency Carrying Out Project: Sylvan Union Unified School District

- Exempt Status: (check one):
[] Ministerial (Sec. 21080(b)(1); 15268);
[] Declared Emergency (Sec. 21080(b)(3); 15269(a));
[] Emergency Project (Sec. 21080(b)(4); 15269(b)(c));
[X] Categorical Exemption. State type and section number: Class 1; §15301
[] Statutory Exemptions. State code number:

Reasons why project is exempt:
§ 15301 - Class 1 consists of the operation, repair, maintenance, ... or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of existing or former use. This project includes minor alterations but does not include expansion of student capacity.

Lead Agency Contact Person: Yvonne Perez Area Code/Telephone/Extension: (209) 574-5000

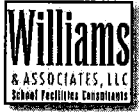
- If filed by applicant:
1. Attach certified document of exemption finding.
2. Has a Notice of Exemption been filed by the public agency approving the project? [X] Yes [] No

Signature: Yvonne Perez Date: 5.20.19 Title: Asst Superintendent

[X] Signed by Lead Agency [] Signed by Applicant

Authority cited: Sections 21083 and 21110, Public Resources Code. Date Received for filing at OPR:
Reference: Sections 21108, 21152, and 21152.1, Public Resources Code.

Date removed from posting 6/28/19



California Environmental Quality Act (CEQA) Analysis

District: Sylvan Union School District
Project: Elizabeth Ustach Middle School Modernization Project
Date: April 26, 2019

Project Scope

The Sylvan Union School District (SUSD) serves the cities of Riverbank and Modesto and some unincorporated areas of Stanislaus County, California and educates approximately 8,200 students from preschool to eighth grade.

The proposed project is at Elizabeth Ustach Middle School, located at 2701 Kodiak Drive in Modesto. The project proposes to modernize the existing buildings and campus and provide a small addition to the Multipurpose Building.

CEQA Analysis

In order to comply with the requirements of the California Environmental Quality Act (CEQA), the District may choose to file a Notice of Exemption (NOE) for this Project as a categorical exemption, pursuant to CEQA Guidelines Section 15301, which allows a categorical exemption for 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 existing or former use.

Analysis of Project: the project will provide modernization to existing buildings, new HVAC upgrades, improvements for accessibility compliance, and a minor addition to the food service area of the Multipurpose Building. The project is not increasing existing student capacity.

CEQA Guidelines Section 15300.2 states that a Lead Agency cannot use a categorical exemption to comply with CEQA if any of the following exceptions apply:

- a) Location – an NOE is not applicable if the Project is located in a particularly significant environment (e.g., the Coastal Zone, or another known area of biological sensitivity); this project is not located in this type of location.
- b) Cumulative Impact – an NOE is not applicable when the cumulative impact of successive projects of the same type in the same place, over time is significant; this project is not increasing capacity or contributing toward a cumulative, significant impact.
- c) Significant Effect – 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; there is no reasonable possibility that this project is creating a significant impact.
- 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; this project is not located on or near a 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; this is an existing school site and is not a hazardous waste site.
- f) Historical Resources – a categorical exemption shall not be used for a project which may cause a substantial adverse change in the significance of a historical resource; this project does not cause a substantial adverse change in a historical resource.