

2020020335

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

From: (Public Agency): _____
Riverbank Unified School District
6715 7th Street Riverbank CA 95367
(Address)

20 FEB 13 PM 12:09
STANISLAUS CO. CLERK-RECORDER
BY Photocopy Print

FILED

Project Title: Land Acquisition

Project Applicant: Riverbank Unified School District

Project Location - Specific:

Corner of California Avenue and Claus Road, Riverbank CA 95367

Project Location - City: Riverbank Project Location - County: Stanislaus

Description of Nature, Purpose and Beneficiaries of Project:

Acquisition of APN's / Parcel IDs are 132-45-02(4.6 acre lot) and 132-45-03.

Name of Public Agency Approving Project: Riverbank Unified School District

Name of Person or Agency Carrying Out Project: Rudy Serrato

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));
- Categorical Exemption. State type and section number: _____
- Statutory Exemptions. State code number: pursuant to CEQA Guidelines Section 14 CCR § 15061

Reasons why project is exempt:

See Attached: CEQA Guidelines Section 14 CCR § 15061

Lead Agency
Contact Person: Rudy Serrato Area Code/Telephone/Extension: (209) 869-7390

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? Yes No

Signature: [Signature] Date: 2/7/2020 Title: Director of Maintenance, Operations and Transportation

Signed by Lead Agency Signed by Applicant

Authority cited: Sections 21083 and 21110, Public Resources Code.
Reference: Sections 21108, 21152, and 21152.1, Public Resources Code.

Date Received for filing at OPR **Governor's Office of Planning & Research**

FEB 18 2020
STATE CLEARINGHOUSE

REC'T # 0004390777
February 13, 2020 ----- 12:11:05

Stanislaus, County Recorder
Donna Linder Co Recorder Office

Environ # 20-014 -

RECD BY	
County Admin Fee	\$57.00

Total fee	\$57.00
Amount Tendered...	\$60.00

Change	\$3.00
FMP,C2/1/0	

California Environmental Quality Act (CEQA) Compliance Analysis

District: Riverbank Unified School District

Project: Land Acquisition

Date: 2/7/2020

Scope: Project Scope: Acquisition of parcels 132-45-02 and 132-45-03

Categorical Exemption: The District may choose to file a Notice of Exemption (NOE) for this Project, pursuant to CEQA Guidelines Section

Exceptions: **Categorical Exemption:**

CEQA Guidelines Section 14 CCR § 15061

§ 15061. Review for Exemption.

(a) Once a lead agency has determined that an activity is a project subject to CEQA, a lead agency shall determine whether the project is exempt from CEQA.

(b) A project is exempt from CEQA if:

(1) The project is exempt by statute (see, e.g. Article 18, commencing with Section 15260).

(2) The project is exempt pursuant to a categorical exemption (see Article 19, commencing with Section 15300) and the application of that categorical exemption is not barred by one of the exceptions set forth in Section 15300.2.

(3) The activity is covered by the common-sense exemption that CEQA applies only to projects which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA.

(4) The project will be rejected or disapproved by a public agency. (See Section 15270(b)).

(5) The project is exempt pursuant to the provisions of Article 12.5 of this Chapter.

(c) Each public agency should include in its implementing procedures a listing of the projects often handled by the agency that the agency has determined to be exempt. This listing should be used in preliminary review.

(d) After determining that a project is exempt, the agency may prepare a notice of exemption as provided in Section 15062. Although the notice may be kept with the project application at this time, the notice shall not be filed with the Office of Planning and Research or the county clerk until the project has been approved.

(e) When a non-elected official or decision making body of a local lead agency decides that a project is exempt from CEQA, and the public agency approves or determines to carry out the project, the decision that the project is exempt may be appealed to the local lead agency's elected decision making body, if one exists. A local lead agency may establish procedures governing such appeals.

Note: Authority cited: Section 21083, Public Resources Code. Reference: Sections 21080, 21080.9, 21080.10, 21084, 21108, 21151, 21152 and 21159.21, Public Resources Code; *Muzzy Ranch Co. v. Solano County Airport Land Use Commission* (2007) 41 Cal. 4th 372; and *No Oil, Inc. v. City of Los Angeles* (1974) 13 Cal. 3d 68.

Exceptions: CEQA Guidelines Section 15300.2:

- a) Location – an exemption 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);
- b) Cumulative Impact – an exemption is not applicable when the cumulative impact of successive projects of the same type in the same place, over time is significant;
- 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;
- 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.
- 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; and
- 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.

[Authority cited: Section 21083, Public Resources Code; Reference: Section 21084 and 21084.1, Public Resources Code]

To support the categorical exemption on the Project, the District has made the following findings:

- 1.To address Exception a): The proposed school site is not located in the Coastal Zone or currently in a biologically sensitive environment; and
- 2.To address Exception b): The Project does not create an increase of classrooms or classroom capacity at the school site, and therefore does not contribute toward a cumulative impact of increased capacity; and
- 3.To address Exception c): There are no unusual circumstances identified that the Project will have a significant effect on the environment; including but not limited to aesthetics, air quality, noise and traffic; and
- 4.To address Exception d): The Project site is not located on or near a scenic highway; and
- 5.To address Exception e): The Project is not located on a hazardous waste site; and to address Exception f): The proposed project site is not listed on the National Register of Historic Places or designated as California Historical Landmarks.

END