

Memo



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Date: August 31, 2022
To: Brigett Reilly, University Enterprises, Inc.
From: Kirsten Burrowes, Ascent Environmental Inc.
Subject: **California State University, Sacramento, Folsom Boulevard Building Modifications, California Environmental Quality Act Notice of Exemption**

The following memorandum substantiates that the 6005-6011 Folsom Boulevard Building Modifications Project is exempt from environmental review requirements of the California Environmental Quality Act (CEQA) in accordance with Class 1 and Class 3 Categorical Exemptions (CEQA Guidelines Section 15301, Existing Facilities and CEQA Guidelines Section 15303, New Construction or Conversion of Small Structures), as well as the common sense exemption (CEQA Guidelines Section 15061(b)(3)).

1 PROJECT LOCATION

California State University, Sacramento (University) plans to modify an existing commercial building located at 6011 Folsom Boulevard, Sacramento, California. The building site is bound by Folsom Boulevard to the south, 60th Street to the west, Sandlin Way to the north, and 61st Street to the east. In addition to the building, the site has a surface parking lot and some landscaping and mature street trees. The project site is designated as "Urban Corridor Low" in the City of Sacramento General Plan and is zoned as General Commercial (C-2)(City of Sacramento 2015; County of Sacramento 2021). Uses surrounding the project site include additional commercial uses, single-family residential homes to the north, Phoebe A. Hearst Elementary School to the west, Saint Francis High School to the north, and Sacramento Municipal Utility District (SMUD) facilities and property, and State of California Department of Transportation (Caltrans) property south of Folsom Boulevard.

2 PROJECT DESCRIPTION

The project would involve interior modifications to the existing building located at 6005-6011 Folsom Boulevard to allow for use of the space for a training center for the Sacramento State gymnastics team as well as a childcare center that would serve employees of Sacramento State, SMUD, and UC Davis Health Systems. The building was previously used for commercial businesses. The modifications to partitions, plumbing, and electrical conveyances in the building would establish separate spaces for the childcare and the gymnastics training. Exterior changes would include upgrades to a portion of surface parking for required/designated play areas for the childcare center, exterior building upgrades, and new signage. There would be minor modifications to the ingress/egress (for the play area), surface parking, and site landscaping.

3 EXEMPT STATUS

As lead agency, the University has determined that the project is exempt from further environmental review requirements under CEQA, pursuant to the specified exemption described below. The University further finds that the project would not result in a significant adverse impact to the environment or that any of the exceptions to the exemptions apply (CEQA Guidelines Section 15300.2).

3.1 Applicable Exemptions

Class 1 Categorical Exemption

The Class 1 Categorical Exemption, as defined in CEQA Guidelines Section 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 existing or former use. The key consideration is whether the project involves negligible or no expansion of use.

Class 3 Categorical Exemption

The Class 3 Categorical Exemption, as defined in CEQA Guidelines Section 15303, consists of construction and location of limited numbers of new, small facilities or structures; installation of small new equipment and facilities in small structures; and the conversion of existing small structures from one use to another where only minor modifications are made in the exterior of the structure.

Common Sense Exemption

The common sense exemption, as defined in CEQA Guidelines Section 15061(b)(3), includes projects that do not have the potential for causing a significant effect on the environment. This includes projects "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."

Summary

The project would consist of minor alterations to an existing building consistent with CEQA Guidelines Section 15301(a): "interior or exterior alterations involving such things as interior partitions, plumbing, and electrical conveyances." The project would also include external modifications involving upgrades to a portion of the existing surface parking lot for play areas associated with the childcare center. These modifications would be consistent with CEQA Guidelines Section 15303(a), which speaks to accessory (appurtenant) structures separate from the main building. No additions would be made to the existing building. There would be no change in the existing zoning or land use designation. While the functional use of the building would change, that change would not expand the building use beyond what has been previously considered, approved, and realized at the site consistent with the City of Sacramento General Plan. Further, as discussed in Section 3.2, "Exceptions to Categorical Exemptions," the project would not result in a significant effect on the environment, and therefore, the project would also be consistent with the common sense exemption, as described in CEQA Guidelines Section 15061(b)(3). Therefore, the Class 1, Class 3, and common sense exemptions apply to the project.

3.2 Exceptions to Categorical Exemptions

CEQA Guidelines Section 15300.2 identifies exceptions, or conditions under which categorical exemptions do not apply. The exceptions that are relevant to consideration under Class 1 and Class 3 are:

- ▶ **Location.** The Class 3 exemption is 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, Class 3 exemptions 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.
- ▶ **Cumulative Impact.** 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.
- ▶ **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.
- ▶ **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 does not apply to improvements which are required as mitigation by an adopted negative declaration or certified EIR.
- ▶ **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.
- ▶ **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.

The following discussions evaluate whether these exceptions to the Class 1 and Class 3 Exemption would apply to the project.

Location

As previously described, the project site includes former commercial uses within an urban area of Sacramento. Additionally, the project site is surrounded by existing developed uses, including commercial uses, residential uses, schools, SMUD utility facilities, and Caltrans facilities. The project would involve interior and exterior modifications to accommodate a training center for the Sacramento State gymnastics team as well as a childcare center. Due to the developed nature of the project site and surrounding uses, project implementation would not occur within environmentally sensitive areas. As further described below, project activities would also not occur in an area known to contain hazardous substances, nor would project activities occur in locations that contain known significant cultural resources. Therefore, this exception does not apply.

Cumulative Impact

The project would be operated within an existing building previously used for commercial businesses. The project site is zoned and designated for commercial uses (C-2). As noted above, implementation of the project would involve internal building modifications to accommodate a new childcare center and practice space for the Sacramento State gymnastics team. These uses are consistent with the allowable uses under the C-2 zoning designation (City of Sacramento, n.d.). Due to the limited scope of building modifications (during construction and operation) and consistency with allowable site uses and zoning designations, the project would not result in significant cumulative impacts. Therefore, this exception does not apply.

Significant Effect/Unusual Circumstances

Unusual circumstances occur when the project has some feature that distinguishes it from others in the exempt class, such as its size or location. If these unusual circumstances result in a project having a significant effect on the environment, then an exemption cannot be relied upon.

There are no unusual circumstances related to the project or the project site. The project would involve internal modifications to an existing commercial building to accommodate future use of a childcare facility and Sacramento State gymnastics space. The project site is located in a developed area adjacent to existing commercial and residential uses, as well as an elementary school. The project would not result in significant effects on the environment, and therefore, this exception does not apply.

Scenic Highways

The nearest designated scenic highway is a portion of State Route (SR) 160. SR 160 parallels the Sacramento River and is designated scenic between the Contra Costa/Sacramento County line and the south city-limit line for the City of Sacramento. The nearest segment of SR 160 that has been designated as scenic is located approximately 8 miles southwest of the project site. The project site is not visible from the scenic highway and no other state-designated scenic highways are located within Sacramento County or near the project site (Caltrans 2021). Therefore, the project would not result in damage to scenic resources within/along a designated scenic highway, and this exception does not apply.

Hazardous Waste Sites

According to 14 CCR 15300.2(e), “[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.” According to the California Department of Toxic Substances Control (DTSC) Envirostor database, there are no hazardous waste sites within the project site (DTSC 2021a). The SMUD Corporation Yard PCB Storage Facility is located less than 0.5 southwest of the project site. SMUD has operated this yard since 1947 and operates under a protective filer permit (DTSC 2021b). Additionally, as of 2004, Phoebe Hearst Elementary School, located west of the project site, and St Francis Girls High School, located north of the project site, are listed within the database as a School Investigation cleanup site for the presence of methane (DTSC 2021c, DTSC 2021d). The project site is located over 450 feet from these schools, and the project would not result in any activities that would disturb or release hazardous materials from known hazardous waste sites. Therefore, this exception does not apply.

Historical Resources

The project building is not listed on the California Register of Historical Resources (OHP 2021) or the Sacramento Register of Historic & Cultural Resources (City of Sacramento 2021); therefore, it is not a historical resource under CEQA. Additionally, the project modifications would not result in adverse changes to the integrity of the building. No known historic archaeological resources are located at the project site and the project would not involve ground disturbing activities. No impact related to historical resources would occur. The project would not result in any impacts to historical resources, and this exception does not apply.

4 EXEMPT STATUS CONCLUSION

As demonstrated in this Notice of Exemption, the University has determined that the 6005-6011 Folsom Boulevard Project is exempt from environmental review under CEQA pursuant to the provisions of the Class 1 and Class 3 categorical exemptions, as well as the common sense exemption. The project meets the criteria described for these exemptions in CEQA Guidelines Sections 15301 (Existing Facilities), 15303 (New Construction or Conversion of Small Structures), and 15061 (Review for Exemption), and there is substantial evidence documenting that none of the exceptions to Class 1 and 3 categorical exemptions apply.

5 REFERENCES

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Figure 1 Project Site Location