Rialto Unified School District

Board Date: July 13, 2022

TO: Board of Education

FROM: Cuauhtémoc Avila, Ed.D., Superintendent

ITEM: **RESOLUTION NO. 22-23-01 FINDING THE PROPOSED INTERNATIONAL HEALING GARDEN PROJECT EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT, APPROVING THE FILING AND RECORDATION OF A NOTICE OF EXEMPTION, AND APPROVING THE PROJECT**

RESOLUTION OF THE BOARD OF EDUCATION OF THE RIALTO UNIFIED SCHOOL DISTRICT

RESOLUTION NO. 22-23-01

FINDING THE PROPOSED INTERNATIONAL HEALING GARDEN PROJECT EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT, APPROVING THE FILING AND RECORDATION OF A NOTICE OF EXEMPTION, AND APPROVING THE PROJECT

July 13, 2022

WHEREAS, Rialto Unified School District ("District") was awarded $1 million for the development of the International Healing Garden, proposed on 2.97 acres of underutilized, District-owned land that is part of Assessor's Parcel Number (APN) 0239-171-35-0000, located south of Buena Vista Avenue and east of Alder Avenue ("Project Site"); and

WHEREAS, the International Healing Garden is an outdoor educational garden with themed gardens, how-to displays, and teaching areas, and will include a large turf field, a single-story visitor center with restroom facilities, shaded areas with picnic tables, a maintenance building, and surface parking ("Project"); and

WHEREAS, prior to the construction and operation of the Project, the District must comply with the California Environmental Quality Act ("CEQA") and CEQA Guidelines (Public Resources Code Section 21000 et seq. and California Code of Regulations, Title 14 Section 15000 et seq.); and

WHEREAS, categorical exemptions to CEQA are set forth in Article 19 of the CEQA Guidelines; and

WHEREAS, the Project meets the requirements of Categorical Exemption Class 32, Infill-Development Project (CEQA Guidelines Section 15332); and

WHEREAS, CEQA Guidelines Section 15332 exempts projects that are characterized as infill development meeting the following conditions: (a) the project is consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning

designation and regulations; (b) the proposed development occurs on a project site of no more than five acres substantially surrounded by urban uses; (c) the project site has no habitat for endangered, rare, or threatened species; (d) approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality; and (e) the site can be adequately served by all required utilities and public services; and

WHEREAS, the District retained a consultant to conduct an environmental review pursuant to CEQA, and the evaluation demonstrates that the Project meets the criteria presented in CEQA Guidelines Section 15332; and

WHEREAS, the Project is not subject to any of the exceptions to categorical exemption set forth in CEQA Guidelines Section 15300.2, including: (a) the Project Site is not in a sensitive environment, (b) the Project will not create or contribute to a cumulative environmental impact, (c) the District is unaware of any unusual circumstance that could cause the Project to create a significant environmental effect, (d) the Project will not damage scenic resources or to an officially designated State scenic highway, (e) the Project site is not on a list compiled pursuant to Government Code Section 65962.5, and (f) the Project will not cause a substantial adverse change in the significance of a historical resource.

NOW, THEREFORE, BE IT RESOLVED, the Governing Board of Education of the Rialto Unified School District hereby makes the following findings:

SECTION 1. That all of the recitals set forth above are true and correct, and the Board so finds and determines.

SECTION 2. That the District has prepared a Categorical Exemption Evaluation, attached hereto as Exhibit "A" that demonstrates that the Project qualifies for a Class 32, In-fill Development Project, Categorical Exemption (CEQA Guidelines 15332) and that no exceptions apply to the use of the exemption (CEQA Guidelines 15300.2).

SECTION 3. That the Board has concluded, after evaluating the Project through its own independent judgement and analysis, that the Project can be exempt from extended environmental review.

SECTION 4. That the Board hereby approves and adopts the Notice of Exemption for the Project per State CEQA Guidelines.

SECTION 5. That the Board hereby approves the Project.

SECTION 6. That the District's Superintendent, or the Superintendent's designee, is instructed to file and/or record the Notice of Exemption prepared pursuant to the California Environmental Quality Act, consistent with this Resolution, attached hereto as Exhibit "B," with any and all appropriate public agencies or entities, subject only to minor, non-substantive revisions, if necessary.

SECTION 7. The Notice of Exemption constitutes a record of these proceedings and will be kept at the Facilities Planning Services office of the Rialto Unified School District, located at 625 West Rialto Avenue, Rialto, CA 92376, under the control of the Director of Facilities Planning Services.

SECTION 8. This Resolution shall take effect immediately upon adoption.

APPROVED, PASSED and ADOPTED this 13th day of July, 2022, by the Board of Education of the Rialto Unified School District of San Bernardino County by the following vote:

AYES: 5 NOES: 0 ABSENT: 0 ABSTAINED: 0

I certify under penalty of perjury, the foregoing statements to be true and correct.

Edgar D. Montes
President, Board of Education

Cuauhtémoc Avila, Ed.D.
Secretary, Board of Education

Submitted by: Angie Lopez
Reviewed by: Diane Romo

RESOLUTION NO. 22-23-01

EXHIBIT A

CATEGORICAL EXEMPTION EVALUATION

(122 page report sent to Board under separate cover)

(Also, available for viewing on District website: kec.rialto.k12.ca.us/Page/1939)

RESOLUTION NO. 22-23-01

EXHIBIT B

NOTICE OF EXEMPTION

(1 page form sent to Board under separate cover)

(Also, available for viewing on District website: kec.rialto.k12.ca.us/Page/1939)