

July 2024 | Response to Comments
State Clearinghouse No. 2024040744
James A. Garfield High School
Major Modernization Project



Prepared for:

Los Angeles Unified School District
Office of Environmental Health and Safety
333 South Beaudry Avenue, 21st Floor
Los Angeles, California 90017
Contact: Christy Wong, CEQA Project Manager
213.241.3394

Prepared by:

WSP USA, Inc.
9177 Sky Park Court
San Diego, California 92123
Contact: Nick Meisinger, CEQA Project Manager
805.252.0060



OEHS
OFFICE OF ENVIRONMENTAL HEALTH & SAFETY

Table of Contents

Section	Page
1. INTRODUCTION	1
1.1 Introduction.....	1
1.2 Public Engagement.....	1
1.3 CEQA Requirements Regarding Comments and Responses	3
2. RESPONSE TO COMMENTS.....	4

1. Introduction

1. Introduction

1.1 INTRODUCTION

This document includes the public comments received on the Initial Study prepared for the James A. Garfield High School Major Modernization Project (Project) and provides Los Angeles Unified School District's (LAUSD's) responses to these comments.

Under the California Environmental Quality Act (CEQA) (Public Resources Code, Division 13, Sections 21000 et seq.) and the CEQA Guidelines (California Code of Regulations [CCR] Section 15000 et seq.), a lead agency has no affirmative duty to prepare formal responses to comments on an Initial Study. The lead agency, however, should have adequate information on the record explaining why the comments do not affect the conclusion of the Initial Study. In the spirit of public disclosure and engagement, LAUSD – as the lead agency for the Project – has responded to all written comments submitted during the 30-day public review period.

1.2 PUBLIC ENGAGEMENT

Notice of Intent to Adopt a Mitigated Negative Declaration (MND). Per CEQA Guidelines Section 15072 and 15073, LAUSD determined that an MND would be appropriate for the Project and circulated a Notice of Intent to Adopt a Mitigated Negative Declaration (NOI) and the Initial Study. The public review period for this CEQA-compliant document was from April 17, 2024 to May 17, 2024. Public outreach included the following methods:

1.2.1 Newspaper Publications

- NOI published in the legal announcement section of the Daily News (English) on April 17, 2024.
- NOI published in the legal announcement section of the La Opinión (Spanish) on April 17, 2024.

1.2.2 Mailings

- NOI sent to eight State and local agencies, five elected officials, the Los Angeles Registrar-Recorder / County Clerk, and the State Clearinghouse.
- NOI sent to student / parent guardian addresses and all addresses within a 0.25-mile radius of the Project site and – 2,979 mailings.

1. Introduction

1.2.3 Document Availability

The NOI and Initial Study were available for review at the following locations:

- Garfield High School (Main Office) (5101 E 6th St, East Los Angeles, CA 90022)
- LAUSD Office of Environmental Health and Safety website (<https://www.lausd.org/ceqa>)
- California State Clearinghouse (<https://ceqanet.opr.ca.gov/>)

1.2.4 Community Outreach

A virtual public meeting was held via Zoom on May 8, 2024 at 6:00 PM. The meeting provided agencies and the public with an opportunity to comment on the Project and the Initial Study. The meeting included a presentation of the proposed Project, a summary of findings for CEQA and the Preliminary Environmental Assessment-Equivalent (PEA-E), and a question and answer (Q&A) session. During the Q&A session, commenters had inquiries on the following topics:

- Design (including questions regarding the architect selection process, classroom and support spaces, Americans with Disabilities Act of 1990 (ADA) improvements, parking, athletics facilities, landscaping etc.)
- Construction (including questions regarding schedule, safety precautions, traffic control, interim housing)
- Public engagement process

Those comments that were received (listed above) were addressed by LAUSD during the meeting. No other formal comments were received via letter or e-mail from community members. Additionally, none of the Zoom comments pertained to the adequacy of the environmental analyses contained in this Initial Study. As such, pursuant to CEQA Guidelines Section 15204(b), Zoom comments from the May 8, 2024 meeting are not included in this document and do not warrant additional written responses.

1.2.5 Document Format

This document is organized as follows:

Section 1, Introduction. This section describes CEQA requirements and the content of this document.

Section 2, Response to Comments. This section provides a list of agencies and interested persons commenting on the Initial Study, copies of comments received during the public review period, and individual responses to written comments. To facilitate review of the responses, each comment has been reproduced and

1. Introduction

assigned an alphabetical letter. Individual comments have been provided, followed by responses from LAUSD with references to the corresponding comment number.

1.3 CEQA REQUIREMENTS REGARDING COMMENTS AND RESPONSES

CEQA Guidelines Section 15204(b) outlines parameters for submitting comments on an Initial Study and reminds persons and public agencies that the focus of review and comment should be “on the proposed findings that the project will not have a significant effect on the environment.” If the commenter believes that the project may have a significant effect, they should: (1) identify the specific effect; (2) explain why they believe the effect would occur; and (3) explain why they believe the effect would be significant.

Comments are most helpful when they suggest additional specific alternatives or mitigation measures that would provide better ways to avoid or mitigate the significant environmental effects. At the same time, reviewers should be aware that the adequacy of an Initial Study is determined in terms of what is reasonably feasible. CEQA Guidelines Section 15204(c) advises, “[re]viewers should explain the basis for their comments, and should submit data or references offering facts, reasonable assumptions based on facts, or expert opinion supported by facts in support of the comments. Pursuant to Section 15064, an effect shall not be considered significant in the absence of substantial evidence.”

CEQA Guidelines Section 15204(d) also states, “[e]ach responsible agency and trustee agency shall focus its comments on environmental information germane to that agency’s statutory responsibility.” CEQA Guidelines Section 15204(e) states, “[t]his section shall not be used to restrict the ability of reviewers to comment on the general adequacy of a document or of the lead agency to reject comments not focused as recommended by this section.”

Finally, CEQA does not require a lead agency to conduct every test or perform all research, study, and experimentation recommended or demanded by commenters. Written responses to comments are not required; however, it is LAUSD’s policy to respond in writing to all comments. When responding to comments, lead agencies need only respond to potentially significant environmental issues and do not need to provide all information requested by reviewers, as long as a good faith effort at full disclosure is made in the environmental document.

2. Response to Comments

2. Response to Comments

This section provides all written comments received on the Initial Study and LAUSD's response to each comment.

Table 1
Summary of Comments Received

Reference	Commenting Person / Agency	Date of Comment	Page Number
Written Comment Letters			
A	California Department of Transportation	May 17, 2024	6
B	Department of Toxic Substances Control	May 10, 2024	9

2. Response to Comments

COMMENT A – Miya Edmonson, California Department of Transportation (Caltrans) (2 pages)

STATE OF CALIFORNIA—CALIFORNIA STATE TRANSPORTATION AGENCY

GAVIN NEWSOM, Governor

DEPARTMENT OF TRANSPORTATION

DISTRICT 7
100 S. MAIN STREET, MS 16
LOS ANGELES, CA 90012
PHONE (213) 288-3562
FAX (213) 897-1337
TTY 711
www.dot.ca.gov



Making Conservation
a California Way of Life

May 17, 2024

Christy Wong
Los Angeles Unified School District
333 S. Beaudry Ave, 21st Floor
Los Angeles, CA 90017

RE: James A. Garfield High School Major
Modernization Project: Mitigated
Negative Declaration (MND)
GTS # 07-LA-2024-04510
SCH # 2024040744
Vic. LA 60/PM R3.959
LA 710/PM 24.262
LA 5/PM 12.971

Dear Christy Wong:

Thank you for including the California Department of Transportation (Caltrans) in the environmental review process for the above-referenced project. The proposed Project is designed to address the most critical physical concerns of the buildings and grounds at Garfield HS through building replacement, renovation, and modernization to provide facilities that are safe, secure, and better aligned with the current instructional program. The proposed Project includes demolishing two permanent buildings and two portable buildings, demolishing a second-story pedestrian bridge, constructing a staff parking lot, and constructing a new permanent building that provides adequate learning spaces and support areas. Additionally, the proposed Project includes upgrading and replacing aging utilities and infrastructure, Internet Protocol (IP) convergence, and new landscaping and hardscaping. Limited modernization of existing structures including accessible facilities consistent with the requirements of the Americans with Disabilities Act (ADA) and seismic retrofit pursuant to California Assembly Bill 300 would also be implemented. The PEA-E and SRP present the findings of the site assessment investigations performed for this proposed Project. The campus is not on any of the lists compiled under Government Code Section 65926.5. The Los Angeles Unified School District is the Lead Agency under the California Environmental Quality Act (CEQA).

The closest state facilities are SR-60, I-710, and I-5. After reviewing the project's documents, Caltrans has the following comments:

To meet the goals and objectives of community placemaking and safe urban design, Caltrans encourages the Lead Agency to incorporate multi-modal infrastructure along and within the school boundaries for people walking, riding bicycles, and riding transit. This

A-1

*"Provide a safe and reliable transportation network that serves all people
and respects the environment."*

2. Response to Comments

Christy Wong
May 17, 2024
Page 2 of 2

infrastructure should include ADA-compliant design, adequate sidewalks, high visibility crosswalks, class IV bike lanes, and bike parking to best create a fully accessible Complete Street. | A-1
Cont.

Caltrans will require an Encroachment Permit for work performed within the State Right-of-way. Caltrans recommends that large-size truck travel be limited to off-peak commute hours. Caltrans requires a permit for any heavy construction equipment and or materials that require the use of oversized transport vehicles on State highways. | A-2

Caltrans recommends that the Project limit construction traffic to off-peak periods to minimize the potential impact on State facilities. If construction traffic is expected to cause issues on any State facilities, please submit a construction traffic control plan detailing these issues for Caltrans' review. | A-3

If you have any questions, please feel free to contact Jaden Oloresisimo, the project coordinator, at Jaden.Oloresisimo@dot.ca.gov and refer to GTS # 07-LA-2024-04510.

Sincerely,

Anthony Higgins for

MIYA EDMONSON
LDR/CEQA Branch Chief

cc: State Clearinghouse

"Provide a safe and reliable transportation network that serves all people
and respects the environment."

2. Response to Comments

A. Response to Comments from Miya Edmonson, Caltrans, dated May 17, 2024

- A-1 Comment noted. The proposed Project involves ADA accessibility improvements and increases the number of parking stalls on-campus (refer to Section 3.2.3, *Site Access, Circulation, and Parking*). However, the proposed Project does not include any off-site improvements.
- A-2 Comment noted. LAUSD would obtain an Encroachment Permit for work performed within the State Right-of-Way and comply with all requirements for State highways. Additionally, the District's Standard Conditions of Approval (Standard Conditions or SCs), limits construction-related trucks to off peak commute periods (refer to SC-T-4 in Section 4.18, *Transportation and Circulation* of the Initial Study).
- A-3 Comment noted. Refer to the Response to Comment A-2.

2. Response to Comments

COMMENT B – Tamara Purvis, Department of Toxic Substances (DTSC) (3 pages)



Yana Garcia
Secretary for
Environmental Protection



Department of Toxic Substances Control
Meredith Williams, Ph.D., Director
8800 Cal Center Drive
Sacramento, California 95826-3200



Gavin Newsom
Governor

SENT VIA ELECTRONIC MAIL

May 10, 2024

Christy Wong
CEQA Project Manager
Los Angeles Unified School District
333 S Beaudry Ave, 21st Floor
Los Angeles, CA 90017
cp-christy.wong@lausd.net

RE: MITIGATED NEGATIVE DECLARATION (MND) FOR THE JAMES A. GARFIELD
HIGH SCHOOL MAJOR MODERNIZATION PROJECT, DATED APRIL 17, 2024
STATE CLEARINGHOUSE # [2024040744](#)

Dear Christy Wong,

The Department of Toxic Substances Control (DTSC) received a MND for the James A. Garfield High School Major Modernization Project (Project). The proposed Project includes the demolition of two permanent buildings and two portable buildings, demolition of a second-story pedestrian bridge, construction of a staff parking lot, and construction of a new permanent building that provides adequate learning spaces and support areas. Additionally, the proposed Project includes upgrades to and replacement of aging utilities and infrastructure, Internet Protocol (IP) convergence, and new landscaping and hardscaping. Limited modernization of existing structures including accessible facilities consistent with the requirements of the Americans with Disabilities Act (ADA) and seismic retrofit pursuant to California Assembly Bill

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2. Response to Comments

Christy Wong
May 10, 2024
Page 2

300 would also be implemented. Based on our review, DTSC requests consideration of the following comments.

1. If the district plans to use California Department of Education (CDE) State funds for the project, then the district shall comply with the requirements of Education Code (EDC), [§17210](#), [§17213.1](#), and [§17213.2](#), unless otherwise specifically exempted under section [§17268](#). If the district is not using CDE State funds for the project, or is otherwise specifically exempt under section [§17268](#), DTSC recommends the district continue to investigate, clean up the Site under the oversight of Los Angeles County and in concurrence with all applicable DTSC guidance documents, if necessary. For more information on the CDE State funding, please visit the [Office of Public-School Construction](#) webpage.

B-1

A local education agency may also voluntarily request the CDE site/plan approval for locally funded site acquisitions and new construction projects. In these cases, CDE will require DTSC to review and approve prior to its final approval, except when exempt under section 17268.

2. If buildings or other structures are to be demolished on any project sites included in the proposed project, surveys should be conducted for the presence of lead-based paints or products, mercury, asbestos containing materials, and polychlorinated biphenyl caulk. Removal, demolition, and disposal of any of the above-mentioned chemicals should be conducted in compliance with California environmental regulations and policies. In addition, sampling near current and/or former buildings should be conducted in accordance with DTSC's 2006 [Interim Guidance Evaluation of School Sites with Potential Contamination from Lead Based Paint, Termiticides, and Electrical Transformers](#).

B-2

3. DTSC recommends that all imported soil and fill material should be tested to ensure any contaminants of concern are within DTSC's and U.S. Environmental Protection Agency (USEPA) Regional Screen Levels (RSLs) for the intended land use. To minimize the possibility of introducing contaminated soil and fill material there should be documentation of the origins of the soil or fill material and, if applicable, sampling be conducted to ensure that the imported soil and fill

B-3

2. Response to Comments

Christy Wong
May 10, 2024
Page 3

material meets screening levels outlined in the [PEA](#) for the intended land use. The soil sampling should include analysis based on the source of the fill and knowledge of the prior land use. Additional information can be found by visiting [DTSC's Human and Ecological Risk Office \(HERO\) webpage](#).

B-3
Cont.

DTSC appreciates the opportunity to comment on the MND for the Project. If you would like to proceed with DTSC's school environmental review process, please visit [DTSC's Evaluating & Clean-up School 3-Step Process](#) to begin a Phase I Environmental Site Assessment.

Thank you for your assistance in protecting California's people and environment from the harmful effects of toxic substances. If you have any questions or would like any clarification on DTSC's comments, please respond to this letter or via [email](#) for additional guidance.

Sincerely,

Tamara Purvis

Tamara Purvis
Associate Environmental Planner
HWMP – Permitting Division - CEQA Unit
Department of Toxic Substances Control
Tamara.Purvis@dtsc.ca.gov

2. Response to Comments

B. Response to Comments from Tamara Purvis, DTSC, dated May 10, 2024

- B-1 Comment noted. LAUSD intends to remove arsenic-contaminated soils south of Building 100 (SB-13), north of portable AA-336 (SB-25), and near the northeast corner of portable AA-2254 (SB-36). Additionally, LAUSD intends to remove lead-contaminated soils surrounding Building 200 (SB-14, SB-22, and SB-34) and northeast of portable AA-2254 (SB-36). For soil sample locations, refer to Section 4.9, *Hazards and Hazardous Materials* of the Initial Study and Appendix H, *Preliminary Environmental Assessment Equivalent (PEA-E) Report* of the Initial Study. Lead and arsenic impacted areas would be managed in accordance with the Soil Removal Plan (SRP), which has been included as Appendix I for reference. This plan would govern delineation, excavation, segregation, and proper handling of soil with arsenic and lead exceedances discovered during the PEA-E.
- B-2 Comment noted. Prior to any demolition, remodeling, and/or renovation activities at the Project site, untested suspect asbestos-containing materials (ACMs), lead-based paints (LBP) and other lead-containing materials (LCMs), and potential Polychlorinated Biphenyls (PCB)-containing building material that may be disturbed would be sampled and analyzed in accordance with applicable regulations. Abatement of known and suspect ACMs, LBP and other LCMs, and potential PCB-containing caulk and paints and any adjacent PCB-impacted building or construction materials should be performed prior to any demolition, remodeling, and/or renovation activities (that would disturb the ACMs and LBP and other LCMs) in accordance with applicable regulations.
- B-3 Comment noted. Any soil that is imported or exported must be chemically tested in accordance with specific written procedures as outlined in LAUSD Specifications, Section 01 4524, *Environmental Import/Export Materials Testing*. This specification has the requirements for the sampling, testing, transporting, and certifying of imported fill materials or exported fill materials from school sites.