Los Angeles Unified School District

Office of Environmental Health and Safety

ALBERTO M. CARVALHO
Superintendent of Schools

CARLOS A. TORRES
Director, Environmental Health and Safety

JENNIFER FLORES
Deputy Director, Environmental Health and Safety

NOTICE OF EXEMPTION

To:
County Clerk and Registrar-Recorder
County of Los Angeles
12400 Imperial Highway
Norwalk, CA 90650

From:
LAUSD OEHS
333 S. Beaudry Avenue
21st Floor
Los Angeles, CA 90017

Project Title:
Clover Elementary School – Soil Cleanup

Project Location – Specific:

The Clover Elementary School Soil Cleanup Project (Project) will be located on the 15.35-acre Clover Elementary School (Clover ES) campus. The Clover ES campus (Campus) is located at 11020 Clover Avenue in the Palms neighborhood of the City of Los Angeles. It is bound by Clover Avenue to the north, Military Avenue to the east, Queensland to the south, and South Bentley Avenue to the west. The Campus is located in an urbanized community primarily consisting of commercial uses, multi-family, and single-family residences.

Project Location – City:
Los Angeles

Project Location – County:
Los Angeles

Description of Nature, Purpose, and Beneficiaries of Project:
The Project entails the implementation of a cleanup plan for arsenic impacted soil, which includes excavation and disposal of impacted soil located in a portion of the construction area of the Clover ES Classroom Replacement Project (Figure 1). The Los Angeles Unified School District Board of Education approved the Clover ES Classroom Replacement Project's budget of $105,819,442 on March 12, 2024. The Soil Cleanup portion of the Classroom Replacement Project is estimated to cost approximately $910,640.

Soil sampling was performed as part of the Preliminary Environmental Assessment Equivalent (PEA-E) and to address compliance with South Coast Air Quality Management District (SCAQMD) during the Clover ES Classroom Replacement Project. Arsenic was reported in soil samples above the Department of Toxic Substance Control (DTSC) upper bound estimate (95th percentile) for background concentration for southern California of 12 milligrams per kilograms (mg/kg). The elevated arsenic concentrations (exceeding 12 mg/kg) were present in most of the shallow soil samples collected within the construction zone, including the unpaved areas (recess yards, landscape areas, tree wells, etc.). The locations of the impacted soils could not be linked to current activities or structures at the school and are regarded as non-point source contaminants. A complete copy of the report for this investigation is included in the Soil Removal Plan (SRP) [1]. This SRP was prepared to describe the

[1] LAUSD OEHS. December 2024. "Soil Removal Plan Clover Elementary School." Los Angeles, California.

procedure for removing the soil with elevated arsenic concentrations to below the DTSC background concentration in the unpaved area of the school.

Based on the site characterization data, the SRP includes the following elements:

- Excavation and off-site disposal of soils with arsenic concentrations ≥12 milligrams per kilogram from eleven Areas of Concern (AOCs).
- Excavation of soil to a minimum depth of 2 feet below ground surface, except in one area where excavation will extend to 3 feet below ground surface.
- Additional excavation of impacted soil from 36 tree wells to a depth of approximately one foot or a feasible depth that does not compromise the health of the trees. A geotextile barrier will be placed at the base of each tree well excavation prior to backfilling.
- Verification sampling of the excavation to confirm arsenic impacted soil has been removed.
- After confirmation sample results confirm the remedial goals, excavation areas will be graded or backfilled with clean fill material.

The SRP identifies best management practices designed to limit potential short-term risks (e.g., the exposure of students, staff, and onsite workers to chemical of concerns during soil excavation activities) through the proper use of institutional controls, such as engineering controls, security measures, personal protective equipment (PPE), and adherence to established health and safety procedures, including the application of water spray to suppress fugitive dust emissions during the excavation, the proper handling, transportation and disposal of impacted soil, and enforcing speed limits at the Project site.[2] All soil removal activities will follow generally acceptable practices, institutional controls, and State, federal, and local agency guidelines, including, but not limited to, those of the: Environmental Protection Agency (EPA), South Coast Air Quality Management District (SCAQMD), Occupational Safety and Health Administration (OSHA)/National Institute of Occupational Safety and Health (NIOSH), and Regional Water Quality Control Board. Soil removal will occur in the summer when students and staff are off campus.

The Project will be implemented pursuant to all applicable State, federal, and local regulations, and all applicable LAUSD specifications, standards, and/or guidelines, including those in compliance with the California Environmental Quality Act (CEQA) and the updated Standard Conditions of Approval for District Construction, Upgrade, and Improvements Projects (SCs) as adopted by the Board of Education in December 2023.[3] LAUSD's SCs, design guidelines, and best management practices are designed to be incorporated into the Project design in order to avoid or limit potential adverse impacts associated with the District's projects.

The beneficiaries of this Project are the Clover ES students, faculty, staff, families, school supporters, and the community at large who may request access to the facilities and grounds of the Campus pursuant to the Civic Center Act (CA Ed. Code Sections 38130 - 38139).

Name of Public Agency Approving the Project:
Los Angeles Unified School District

Name of Person or Agency Carrying Out Project:
Los Angeles Unified School District

[2] *Ibid.*
[3] LAUSD OEHS, "Standard Conditions of Approval for District Construction, Upgrade, and Improvements Projects," Adopted by the Board of Education on December 12, 2023.

Exempt Status: (check one below)

- ☐ Ministerial [Public Resources Code (PRC) Section 21080(b)(1); CEQA Guidelines Section 15268[4]]:
- ☐ Declared Emergency [PRC Section 21080(b)(3); CEQA Guidelines Section 15269(a)]:
- ☐ Emergency Project [PRC Section 21080(b)(4); CEQA Guidelines Section 15269(b)(c)]:
- ☒ Categorical Exemption (PRC Section 21084; CEQA Guidelines Sections 15300 -15333):
  - *CEQA Guidelines Section 15330 - Minor Actions to Prevent, Minimize, Stabilize, Mitigate or Eliminate the Release or Threat of Release of Hazardous Waste or Hazardous Substances.*
- ☐ Statutory Exemption:

Reasons why project is exempt:

Section 15330 - Minor Actions to Prevent, Minimize, Stabilize, Mitigate or Eliminate the Release or Threat of Release of Hazardous Waste or Hazardous Substances.

Class 30 consists of any minor cleanup actions taken to prevent, minimize, stabilize, mitigate, or eliminate the release or threat of release of a hazardous waste or substance which are small or medium removal actions costing $1 million or less.

The Project entails the implementation of a SRP for arsenic impacted soil; excavation of impacted soil; and disposal of impacted soil. Based on the site characterization data, a cleanup plan has been developed for the Site. The cleanup plan includes the following elements:

- Excavation and off-site disposal of soils with arsenic concentrations ≥12 milligrams per kilogram from eleven Areas of Concern (AOCs).
- Excavation of soil to a minimum depth of 2 feet below ground surface, except in one area where excavation will extend to 3 feet below ground surface.
- Additional excavation of impacted soil from 36 tree wells to a depth of approximately one foot or a feasible depth that does not compromise the health of the trees. A geotextile barrier will be placed at the base of each tree well excavation prior to backfilling.
- Verification sampling of the excavation to confirm arsenic impacted soil has been removed.
- After confirmation sample results confirm the remedial goals, excavation areas will be graded or backfilled with clean fill material.

The SRP identifies best management practices designed to limit potential short-term risks (e.g., the exposure of students, staff, and onsite workers to AOCs during soil excavation activities) through the proper use of institutional controls, such as engineering controls, security measures, PPE, and adherence to established health and safety procedures, including the application of water spray to suppress fugitive dust emissions during the excavation, the proper handling, transportation and disposal of impacted soil, and enforcing speed limits at the Project site. The Soil Cleanup portion of the Classroom Replacement Project is estimated to cost approximately $910,640 and will therefore qualify for the Class 30 exemption.

Section 15300.2 – Exceptions

Section 15300.2 of the CEQA Guidelines, Exceptions, provides conditions under which categorical exemptions are inapplicable. Review of the Project indicates that they would not violate any of the exceptions, as described below.

1. *The project would occur in certain specified sensitive environments or locations;*

[4] CEQA Guidelines can be found at California Code of Regulations Title 14, Chapter 3, Section 15000 - Section 15387.

The Project site is a fully developed Campus within an urbanized community.[5] The Project site is not designated as a biologically sensitive location. The nearest significant ecological area to the Project site is Ballona Wetlands. located 3 miles southwest of Clover ES and the nearest critical habitat is the Western snowy plover, located approximately 4.8 miles west of the Campus.[6,7] As such, the Project will not impact sensitive environments or locations.

2. *Cumulative impacts would be considerable because successive projects of the same type would occur at the same place over time;*

The Campus is an active school site and there will likely be ongoing maintenance activities and minor projects on the Campus to keep the school operational. As the Project would not result in any lasting impacts once construction of the Project is complete, the Project would not contribute to cumulative impacts when considered with expected successive projects.

3. *There is a reasonable possibility that the activity would have a significant effect on the environment due to unusual circumstances.*

There are no known unusual circumstances that would have a significant effect on the environment. The removal of trees is not anticipated as part of the proposed scope of work. However, should the Project be altered to include the removal of trees, LAUSD's Office of Environmental Health & Safety (OEHS) must be notified immediately. District policy requires consultation with an arborist to determine if the trees are a protected native species. All tree trimming and removal conducted on District property is required to adhere to the procedures described in the LAUSD OEHS Tree Trimming and Removal Procedure.[8] Additionally, written approval from the school principal will be required before any trees can be removed. If tree removal is scheduled to occur between February 1 and August 31, a nesting bird survey would be performed prior to removal activities, per Standard Condition of Approval (SC) SC-BIO-3 of the Subsequent Program Environmental Impact Report (SPEIR).[9,10]

The Project will include ground-disturbing activities. OEHS will provide oversight to ensure that these activities are conducted in compliance with the requirements of District Specification 01 4524, relevant provisions of South Coast Air Quality Management District Rule 1466, and other applicable environmental agency rules and requirements.[11] Furthermore, as set forth in SC-CUL-6, SC-CUL-7, SC-CUL-9, SC-CUL-10, and SC-GEO-2 of the SPEIR, construction activities must be stopped immediately and OEHS notified upon discovery of subsurface features, such as buried resources (i.e., paleontological resources, archaeological resources), tanks or seepage pits, or stained/odoriferous soils.[12] Lastly, any construction and demolition waste shall be recycled to the maximum extent feasible per SC-USS-1 of the SPEIR.[13] Therefore, the Project will not have a significant effect on the environment due to unusual circumstances.

4. *The project 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;*

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[5] City of Los Angeles Planning Department, *Zoning and Information Management System*, http://zimas.lacity.org/, accessed March 2025.
[6] United States Fish and Wildlife Service Critical Habitat Portal, https://ecos.fws.gov/ecp/report/table/critical-habitat.html accessed March 2025.
[7] Los Angeles County Department of Regional Planning, http://gis.planning.lacounty.gov/GIS-NET3_Public/Viewer.html, accessed March 2025.
[8] LAUSD OEHS, "Tree Trimming and Removal Procedure," https://achieve.lausd.net/ceqa
[9] LAUSD OEHS, "Standard Conditions of Approval for District Construction, Upgrade, and Improvements Projects," Adopted by the Board of Education on December 12, 2023
[10] LAUSD OEHS, "Tree Trimming and Removal Procedure", *http://achieve.lausd.net/ceqa*.
[11] LAUSD OEHS, "Section 01 4524 Environmental Import/Export Materials Testing", http://www.laschools.org/documents/file?file_id=219798234&show_all_versions_p=t
[12] LAUSD OEHS, "School Upgrade Program Final Subsequent Environmental Impact Report," *http://achieve.lausd.net/ceqa*, Adopted by the Board of Education on December 12, 2023
[13] *Ibid.*

The closest designated state scenic highway to Clover ES is Topanga Canyon Boulevard (State Route 27), which is located approximately 9 miles northwest of the Campus.[14] In addition, the Project would not result in the removal of historic buildings, rock outcroppings, or other scenic resources. Therefore, the Project would not result in damage to scenic resources or similar resources within a highway officially designated as a state scenic highway.

5. *The project is located on a site which is included on any list compiled pursuant to Section 65962.5 of the Government Code; or*

The Project site is not listed on any list compiled pursuant to Section 65962.5 of the Government Code.[15] Therefore, the Project would have no impacts related to being located on a hazardous waste site.

6. *The project may cause a substantial adverse change in the significance of a historical resource.*

Clover ES is over 45 years old, meeting LAUSD's threshold for review as a potential historic resource and requiring evaluation for historic eligibility. However, LAUSD's Historic Resource Specialist determined that Clover ES is ineligible as a historic resource.[16] Research did not reveal any architectural significance or significant association between the Campus and the development of alternative educational approaches or any other historical events or personages significant to national, state, or local history. Therefore, the Project will not cause substantial adverse change in the significance of a historic resource.

Prepared By:

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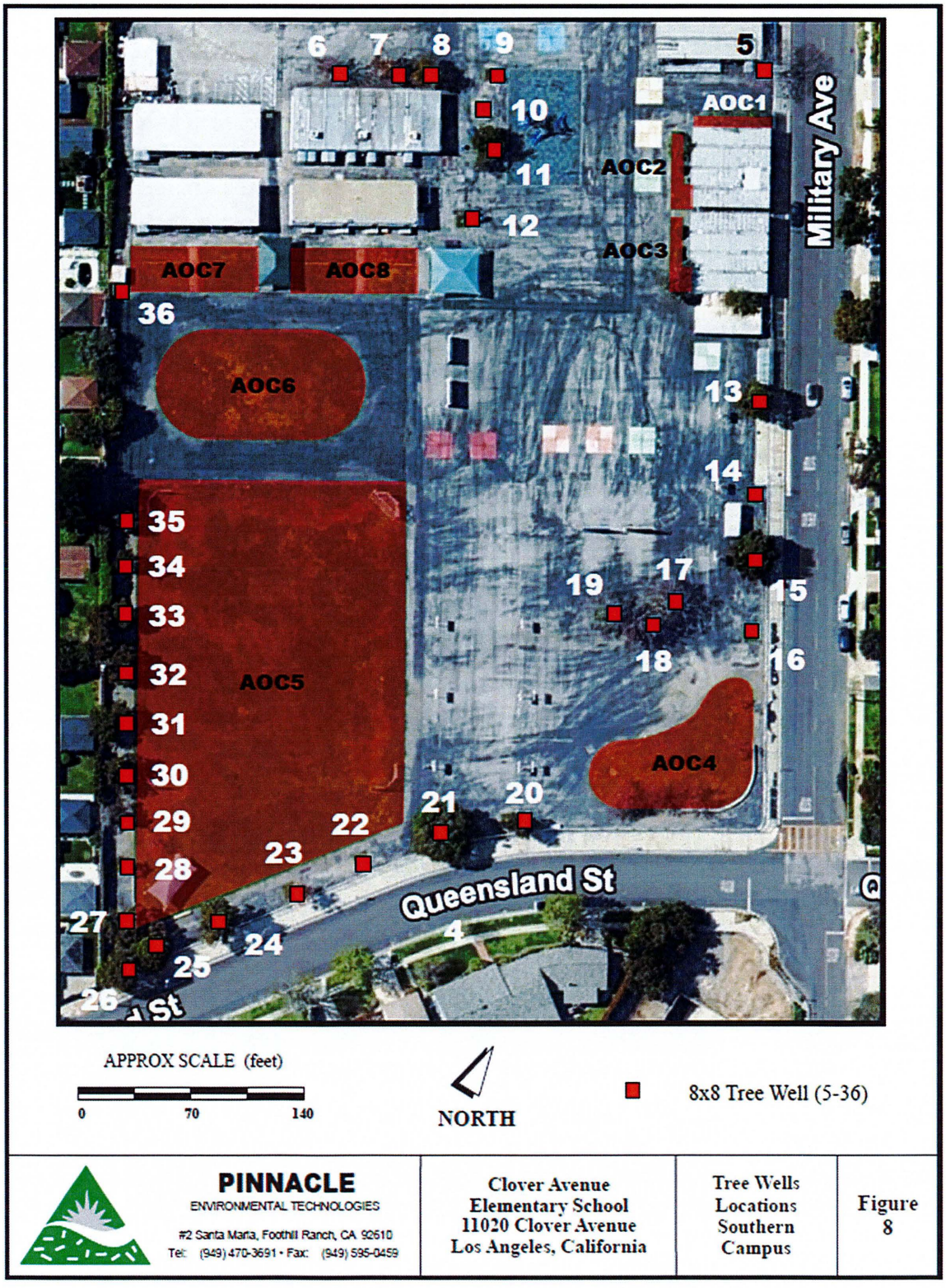
Signed by:

Date: 4/3/25

Carlos A. Torres,
CEQA Officer of the Los Angeles Unified School District

[14] Los Angeles County Department of Regional Planning, http://gis.planning.lacounty.gov/GIS-NET3_Public/Viewer.html, accessed March 2025.
[15] http://www.dtsc.ca.gov/SiteCleanup/Cortese_List.cfm, accessed March 2025.
[16] LAUSD OEHS. 2025. LAUSD Historic Resource Inventory Database.

Figure 1. Site Plan



PINNACLE ENVIRONMENTAL TECHNOLOGIES #2 Santa Maria, Foothill Ranch, CA 92610 Tel: (949) 470-3691 • Fax: (949) 595-0459	Clover Avenue Elementary School 11020 Clover Avenue Los Angeles, California	Tree Wells Locations Southern Campus	Figure 8