



FINAL MITIGATED NEGATIVE DECLARATION FOR THE

# John Adams Middle School Campus Improvement Project

Prepared for:



SANTA MONICA-MALIBU UNIFIED SCHOOL DISTRICT

Santa Monica-Malibu Unified School District

January 2023

FINAL MITIGATED NEGATIVE DECLARATION FOR THE

# John Adams Middle School Campus Improvement Project

Prepared for:



SANTA MONICA-MALIBU UNIFIED SCHOOL DISTRICT

**Santa Monica-Malibu Unified School District**

2828 4th Street  
Santa Monica, CA 90045

Contact:

**Carey Upton**  
310.450.8338 x79383

Prepared by:



**Ascent Environmental**

15642 Sand Canyon, #54491  
Irvine, CA 92619

Contact:

**Nicole Greenfield**  
619.489.5671

January 2023

20210149.01

# TABLE OF CONTENTS

Section	Page
<b>1 INTRODUCTION.....</b>	<b>1</b>
1.1 Purpose and Overview of this Final Mitigated Negative Declaration .....	1
1.2 Project Summary.....	1
1.3 Summary of the Environmental Review Process .....	2
<b>2 COMMENTS RECEIVED DURING PUBLIC REVIEW PERIOD.....</b>	<b>3</b>
2.1 Comments and Responses to Comments .....	3
<b>3 MINOR REVISIONS TO THE DRAFT INITIAL STUDY.....</b>	<b>14</b>
3.1 Introduction.....	14
3.2 Draft Initial Study/Mitigated Negative Declaration Revisions .....	14
<b>4 REFERENCES.....</b>	<b>15</b>
<b>Tables</b>	
Table 1 List of Commenters .....	3

## ACRONYMS AND ABBREVIATIONS

CEQA	California Environmental Quality Act
Draft IS/MND	Draft Initial Study/Proposed Mitigated Negative Declaration
Final MND	Final Mitigated Negative Declaration
JAMS	John Adams Middle School
NOI	Notice of Intent
Proposed Project	John Adams Middle School Campus Improvement project
SMASH	Santa Monica Alternative School House
SMMUSD or District	Santa Monica-Malibu Unified School District

# 1 INTRODUCTION

## 1.1 PURPOSE AND OVERVIEW OF THIS FINAL MITIGATED NEGATIVE DECLARATION

The Santa Monica-Malibu Unified School District (SMMUSD or District) prepared this Final Mitigated Negative Declaration (Final MND) in accordance with the California Environmental Quality Act (CEQA) (Public Resources Code section 21000 et seq.) and the State CEQA Guidelines (California Code of Regulations section 15000 et seq.) for the John Adams Middle School (JAMS) Campus Improvement Project (Proposed Project). Pursuant to CEQA Guidelines section 15074, the District must consider the Final MND together with any comments received during the public review process prior to consideration of the Proposed Project.

This Final MND incorporates by reference the Draft Initial Study/Proposed Mitigated Negative Declaration (Draft IS/MND) and supporting documents. The comment letters received during the public review period and the District's written responses to each comment are presented in Section 2, "Responses Received During Public Review Period." As noted in Section 2, the conclusions presented in the Draft IS/MND were not altered in response to comments received. The District has made minor revisions to the text of the Draft IS/MND, which are presented in Section 3, "Minor Revisions to the Draft Initial Study." As noted in Section 3, these revisions are intended to clarify or elaborate upon the findings in the Draft IS/MND and do not constitute a substantial revision of the Draft IS/MND. Together with the Draft IS/MND, these documents are intended to be used by the District Board of Education in its review and consideration of the Proposed Project.

Based on the whole record, the District should find that the comments received do not raise any new potentially significant impacts, do not identify an increase in the severity of any impacts disclosed in the Draft IS/MND, and do not require substantial revision of the Draft IS/MND. No new mitigation measures are needed as a result of the comments. Therefore, pursuant to section 15073.5 of the CEQA Guidelines, recirculation of the Draft IS/MND is not required. An Environmental Impact Report is not required because all potentially significant environmental impacts that may result from the Proposed Project would be mitigated to less-than-significant levels. The District should find on the basis of the whole record before it (including the initial study and any comments received), that there is no substantial evidence that the Proposed Project will have a significant effect on the environment and that the Final MND reflects the District's independent judgment and analysis.

## 1.2 PROJECT SUMMARY

The Proposed Project consists of improvements to the JAMS campus based on the 2020 Campus Master Plan (District 2020). The purpose of the Proposed Project is to implement campus modernization efforts needed to align with the District's educational specifications (District 2019). Overall, the Proposed Project would occur over four phases and would result in demolition of one existing building, construction of one new building, and renovation/reuse of six existing buildings over an approximate span of 10 to 15 years. Phase 1, which is currently funded, would include upgrading the existing library and courtyard. Subsequent phases would be constructed as funding becomes available and would include constructing a new Science, Technology, Engineering, Art, and Math building; creating a defined space for the 6<sup>th</sup> grade cohort; modernizing the 8<sup>th</sup> grade courtyard; installing new hardscaping and landscaping within the central quad; and renovating the existing cafeteria. The Campus Master Plan identifies several other modernization efforts that are not currently proposed for implementation and are not reasonably foreseeable at this time.

## 1.3 SUMMARY OF THE ENVIRONMENTAL REVIEW PROCESS

In accordance with the California Environmental Quality Act (CEQA) (Public Resources Code section 21000 et seq.) and the State CEQA Guidelines (California Code of Regulations section 15000 et seq.), the District prepared a Draft IS/MND to evaluate the potential environmental effects of the Proposed Project. Pursuant to section 15072 and 15073 of the CEQA Guidelines, the Draft IS/MND and Notice of Intent (NOI) to adopt the MND were circulated for a 30-day public review period that began on November 14 and ended on December 14, 2022. The District filed the NOI with the California Governor's Office of Planning and Research State Clearinghouse on November 14, 2022, and the NOI was also posted with the Los Angeles County Clerk for the local review period. The District emailed or mailed the NOI, including a link to the Draft IS/MND, to the following 28 public agencies and organizations:

### State Agencies

- ▶ California Air Resources Board
- ▶ California Department of Education
- ▶ California Department of Fish & Wildlife – Region 5
- ▶ California Department of General Services – Division of the State Architect
- ▶ California Department of General Services – Office of Public Schools Construction
- ▶ California Department of Parks & Recreation
- ▶ California Department of Resources Recycling and Recovery
- ▶ California Department of Toxic Substances Control
- ▶ California Department of Transportation – District 7
- ▶ Native American Heritage Commission
- ▶ Office of Historic Preservation
- ▶ Santa Monica Mountains Conservancy

### Regional and Local Agencies

- ▶ South Coast Air Quality Management District
- ▶ Southern California Association of Governments
- ▶ Los Angeles County Department of Public Works
- ▶ Los Angeles County Department of Regional Planning
- ▶ Los Angeles County Metropolitan Transportation Authority
- ▶ Los Angeles County Office of Education
- ▶ Los Angeles County Sanitation Districts
- ▶ Los Angeles Regional Water Quality Control Board
- ▶ City of Santa Monica Department of Transportation
- ▶ City of Santa Monica Fire Department
- ▶ City of Santa Monica Landmarks Commission
- ▶ City of Santa Monica Planning & Community Development Department
- ▶ City of Santa Monica Police Department
- ▶ City of Santa Monica Public Works Department

- ▶ City of Santa Monica Watershed Management
- ▶ City of Santa Monica Water Office

### **Organizations**

- ▶ Santa Monica College
- ▶ Santa Monica Conservancy

On November 14, 2022, copies of the NOI were also distributed to 800 recipients of properties contiguous to and in proximity to the JAMS campus. The NOI, Draft IS/MND, and supporting documents were also posted on the District's website. In addition, hard copies of the Draft IS/MND and supporting documents were made available for public review at the main office of the JAMS campus, located at 2425 16<sup>th</sup> Street in the City of Santa Monica, and at the District's office, located at 1651 16<sup>th</sup> Street in the City of Santa Monica.

The District held a public meeting to provide the community an opportunity to learn about the Proposed Project and comment on the Draft IS/MND. The meeting was held at 5:30 p.m. on December 12, 2022, at the Performance Lab on the JAMS campus, located at 2425 16<sup>th</sup> Street in Santa Monica, California.

## **2 COMMENTS RECEIVED DURING PUBLIC REVIEW PERIOD**

During the public review period, the District received three comment letters by email from individuals in response to the Draft IS/MND. Pursuant to section 15074(b) of the CEQA Guidelines, the District is required to consider the comments received during the public review period. Although written responses to comments submitted on Draft IS/MNDs are not required under CEQA, the District has nonetheless provided responses to each comment for the record. As documented in the responses in Section 2.1, the information provided in the comments do not constitute a fair argument that the Proposed Project, as mitigated, would potentially cause a significant environmental impact. In addition, the responses to comments demonstrate that the Proposed Project, as mitigated, would not potentially create a significant environmental impact or result in environmental impacts that would be cumulatively considerable. The responses merely provide further data and analysis that clarifies or elaborates upon the findings in the Draft IS/MND.

### **2.1 COMMENTS AND RESPONSES TO COMMENTS**

Table 1 presents a list of persons that submitted comments on the Draft IS/MND during the public review period, including the numerical designation for each comment letter received, the author of the comment letter, and the date of the comment letter. Comment letters and specific comments were numbered for reference purposes. A copy of the comment letter along with detailed responses to those comments is provided on the pages that follow.

**Table 1 List of Commenters**

<b>Letter No.</b>	<b>Commenter</b>	<b>Date</b>
1	Nikki Kolhoff	December 14, 2022
2	Wendy Dembo	December 14, 2022
3	Zina Josephs, on behalf of the Board of Directors of the Friends of Sunset Park	December 14, 2022

Letter 1  
Nikki Kolhoff  
December 14, 2022



**From:** [Tristan Evert](#)  
**To:** [Tristan Evert](#)  
**Subject:** RE: Comment to Initial Study and Mitigated Negative Declaration for each of Will Rogers Elementary School, John Adams Middle School, and Franklin Elementary School  
**Date:** Thursday, December 15, 2022 2:39:59 PM

---

**From:** Nikki Kolhoff <[nkolhoff@yahoo.com](mailto:nkolhoff@yahoo.com)>  
**Sent:** Wednesday, December 14, 2022 4:55 PM  
**To:** Upton, Carey <[cupton@smmusd.org](mailto:cupton@smmusd.org)>  
**Cc:** Board of Education <[brd@smmusd.org](mailto:brd@smmusd.org)>  
**Subject:** Comment to Initial Study and Mitigated Negative Declaration for each of Will Rogers Elementary School, John Adams Middle School, and Franklin Elementary School

*CAUTION! This EXTERNAL email from [nkolhoff@yahoo.com](mailto:nkolhoff@yahoo.com) originated from outside SMMUSD. Do not click links or open attachments unless you recognize the sender and know the content is safe.*

Date: December 14, 2022

To: Carey Upton, Chief Operations Officer, Santa Monica-Malibu Unified School District  
CC: School Board

Re: Comment to Initial Study and Mitigated Negative Declaration for each of Will Rogers Elementary School, John Adams Middle School, and Franklin Elementary School

I am writing with respect to the Draft Initial Study/ Proposed Mitigated Negative Declaration for each of Will Rogers Elementary School, John Adams Middle School, and Franklin Elementary School dated November 2022 (the "MNDs"). Please consider this a comment to each MND.

I ask that the impact of the John Adams Middle School ("JAMS") Campus Improvements, the Will Rogers Elementary School ("Will Rogers") Campus Expansion and Improvements, and the Franklin Elementary School ("Franklin") Campus Improvements, along with the remaining improvements in process at Grant Elementary School, Edison Language Academy, Muir/SMASH, Roosevelt Elementary School, McKinley Elementary School, Lincoln Middle School (collectively, the "Other Santa Monica Campuses") be treated as one Project under CEQA.

Historically, the District had been working on a master plan for facilities improvements. It is only recently that the District has chosen to break each school out into separate projects. This current approach is impermissible piecemealing under CEQA. Section 15378 of the CEQA Guidelines provides that a "Project" is "the whole of an action, which has a potential for resulting in either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment." The whole of the action in this case is the

1-1



renovation of all campuses pursuant to the Education Specifications and Sustainability Plan.

Santa Monica is only 9 square miles and these campuses are located in an area even smaller than that. The aggregate size of the campuses undergoing renovations that will impact overlapping surrounding neighborhoods for the next 10-15 years is approximately 28 acres north of the 10 freeway, 39 acres south of the 10 freeway, and 67 acres total (excluding Samohi and Olympic).

Overlapping surrounding neighborhoods will be impacted by not only the JAMS, Will Rogers and Franklin construction, but also the planned construction at the Other Santa Monica Campuses because of their proximity to each other. The following environmental areas will be impacted: Aesthetics, Air Quality, Biological Resources, Cultural Resources, Geology /Soils, Greenhouse Gas Emissions, Hazards & Hazardous Materials, Hydrology / Water Quality, Land Use / Planning, Noise, Public Services, Recreation, Transportation/Traffic, Cultural Resources, and Utilities / Service Systems.

As a result, the aggregate impact of the work at JAMS, Will Rogers, Franklin, and the Other Santa Monica Campuses must be evaluated as one Project. **I am requesting that the Initial Study be redone for the combined Project and that the District prepare an Environmental Impact Report for the combined Project.**

Thanks,  
Nikki Kolhoff,  
Santa Monica Resident and SMMUSD Parent

1-1  
cont.

### Response 1-1

As noted by the comment, section 15378 of the CEQA guidelines defines a project under CEQA as the “whole of an action” that may result in either direct or indirect physical changes to the environment. However, in this case, the John Adams Middle School Campus Improvement project (Proposed Project), proposed improvements to Will Rogers Learning Community and Franklin Elementary School, as well as the other schools noted in the comment are not considered one project under CEQA, nor is evaluating each school independently as separate projects considered piecemealing under CEQA, for the following reasons.

Piecemealing or segmenting means dividing a project into two or more pieces and evaluating each piece in separate environmental documents for the purposes of underestimating environmental impacts, rather than evaluating the whole of the project in one environmental document. The concept of “piecemealing” under CEQA requires a demonstration that the allegedly piecemealed project is “a reasonably foreseeable consequence of the initial project.” (*East Sacramento Partnership for a Livable City v. City of Sacramento* [2016] 5 Cal.App.5th 281, 293.) It should be noted that the Draft IS/Proposed MND for the Proposed Project analyzed the potential environmental impacts from buildout of the campus plan as one singular project even though future phases are not funded or designed expressly because they are reasonably foreseeable future actions.

The primary test for determining if improper piecemealing would occur is whether two or more projects have “independent utility,” meaning that each proposed project operates independently of each other and can be implemented separately. Two or more projects are considered to have “independent utility” and may properly undergo separate environmental review when the projects have different proponents, serve different purposes, or can be implemented independently. (*Banning Ranch Conservancy v. City of Newport Beach* [2012] 211 Cal.App.4th 1209.) In the case of the proposed campus plans, each project is within a separate, distinct, and complete school campus, which has completely different students, faculty, and staff and operates at a separate location. Each campus project has “independent utility” because the improvement project at each school campus can be implemented independently, irrespective of whether any of the other campus plans are ever approved or implemented. The school projects are not phases of an overall project. The Education Specifications are provisions that identify general facility needs for modern learning that simply guide the future development of improvements for the schools. Approval of the Education Specifications had no environmental impact and thus, did not require CEQA review at the time of approval. If the Education Specifications were the whole of the project, no further environmental review would be required once the Board approved them. As such, the Education Specifications are not, and cannot be, the whole of the project.

Here, the approval and implementation of the Proposed Project is neither a part of any other campus project nor dependent on the approval or implementation of any other campus project, and vice versa. Accordingly, none of the other campus projects are a reasonably foreseeable consequence of the Proposed Project.

The proper way to address multiple independent projects that have the potential to result in combined environmental impacts is through a cumulative impact analysis. This analysis is required under CEQA Guidelines section 15065 (a)(3) to determine the cumulative impacts of past, present, and probable future projects producing related or cumulative impacts. CEQA acknowledges that a project may have possible environmental effects that are individually limited but cumulatively considerable. “Cumulatively considerable” means that the incremental effects of an individual project are significant when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.

The Draft IS/Proposed MND for the Proposed Project includes a cumulative impact analysis in Section 3.21 that determines the combined cumulative effects of the Proposed Project with the proposed improvements at several school campuses within the City of Santa Monica identified in the comment, including Franklin Elementary School, Grant Elementary School, McKinley Elementary School, Will Rogers Learning Community, and Roosevelt Elementary School. Similar to the Proposed Project, the proposed improvements at these schools constitute individual projects under CEQA for the same reasons described above. The comment also suggests that there are improvements in process at Edison Language Academy, John Muir Elementary School/ Santa Monica Alternative School House (SMASH), and Lincoln Middle School. However, there are currently no plans for improvements at Edison Language Academy or Lincoln Middle School, nor are any projects currently in process at these schools. In addition,

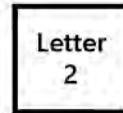
improvements that would be implemented at John Muir Elementary School/SMASH beginning in August 2023 are limited to emergency repairs and interior work to address water damage that occurred previously on the campus. As such, the improvements at John Muir/SMASH are exempt from the requirements of CEQA. Accordingly, Edison Language Academy, John Muir Elementary School/SMASH, and Lincoln Middle School were not, and need not be, considered in the cumulative impact analysis for the Proposed Project.

As required under CEQA, the cumulative analysis in the Draft IS/Proposed MND considers both direct and indirect, as well as, short-term and long-term cumulative impacts. Based on the analysis in the Draft IS/Proposed MND in Section 3.21, "Mandatory Findings of Significance," on pages 3-111 through 3-117, it was found that the Proposed Project's contribution to cumulative environmental impacts would be less than cumulatively considerable with the implementation of the following mitigation measures: MM-BIO-1 (pages 3-23 and 3-24 of the Draft IS/Proposed MND), MM-CUL-1 (page 3-28 of the Draft IS/Proposed MND), MM-PALEO-1 (pages 3-38 and 3-39 of the Draft IS/Proposed MND), MM-HAZ-1 and MM-HAZ-2 (pages 3-57 and 3-58 of the Draft IS/Proposed MND), MM-NOISE-1 and MM-NOISE 2 (pages 3-82 and 3-83 of the Draft IS/Proposed MND), and MM-TRAN-1 (page 3-100 of the Draft IS/Proposed MND). The District's inclusion of the proposed improvements to Franklin Elementary School, Grant Elementary School, McKinley Elementary School, Will Rogers Learning Community, and Roosevelt Elementary School in the Draft IS/Proposed MND's analysis of cumulative impacts ensures that that the potential combined effects of these projects are not underestimated.

For these reasons, the proposed improvements to the John Adams Middle School, Will Rogers Learning Community, and Franklin Elementary School, as well as the other schools noted in the comment are not considered one project under CEQA. Accordingly, the District's approach to conduct a separate environmental review of each project is appropriate and does not constitute improper piecemealing.

# Letter 2 Wendy Dembo

December 14, 2022



**From:** [Tristan Evert](#)  
**To:** [Tristan Evert](#)  
**Subject:** FW: Comment to Initial Study and Mitigated Negative Declaration for Will Rogers Elementary School, John Adams Middle School, and Franklin Elementary School  
**Date:** Thursday, December 15, 2022 3:00:00 PM

**From:** Wendy Dembo <[wendydembo@gmail.com](mailto:wendydembo@gmail.com)>  
**Date:** December 14, 2022 at 7:34:13 PM EST  
**To:** "Upton, Carey" <[cupton@smmusd.org](mailto:cupton@smmusd.org)>, Board of Education <[brd@smmusd.org](mailto:brd@smmusd.org)>  
**Subject:** Re: **Comment to Initial Study and Mitigated Negative Declaration for Will Rogers Elementary School, John Adams Middle School, and Franklin Elementary School**

*CAUTION! This EXTERNAL email from [wendydembo@gmail.com](mailto:wendydembo@gmail.com) originated from outside SMMUSD. Do not click links or open attachments unless you recognize the sender and know the content is safe.*

Date: December 14, 2022

Dear Mr. Upton and Board Members,

I am writing with respect to the Draft Initial Study/ Proposed Mitigated Negative Declaration for each of Will Rogers Elementary School, John Adams Middle School, and Franklin Elementary School dated November 2022 (the "MNDs"). Please consider this a comment to each MND.

I ask that the impact of the John Adams Middle School ("JAMS") Campus Improvements, the Will Rogers Elementary School ("Will Rogers") Campus Expansion and Improvements, and the Franklin Elementary School ("Franklin") Campus Improvements, along with the remaining improvements in process at Grant Elementary School, Edison Language Academy, Muir/SMASH, Roosevelt Elementary School, McKinley Elementary School, Lincoln Middle School (collectively, the "Other Santa Monica Campuses") be treated as one Project under CEQA.

Historically, the District had been working on a master plan for facility improvements. It is only recently that the District has chosen to break each school out into separate projects. This current approach is impermissible piecemealing under CEQA. Section 15378 of the CEQA Guidelines provides that a "Project" is "the whole of an action, which has a potential for resulting in either a direct physical change in the environment or a reasonably foreseeable indirect physical change in the environment." The whole of the action, in this case, is the renovation of all campuses pursuant to the Education Specifications and Sustainability Plan.

Santa Monica is only 9 square miles and these campuses are located in an area even smaller than that. The aggregate size of the campuses undergoing renovations that will impact overlapping surrounding neighborhoods for the next 10-15 years is approximately 28 acres north of the 10 freeway, 29 acres south of

2-1

the 10 freeway, and 67 acres total (excluding Samohi and Olympic).

Overlapping surrounding neighborhoods will be impacted by not only the JAMS, Will Rogers, and Franklin construction, but also the planned construction at the Other Santa Monica Campuses. The following environmental areas will be impacted: Aesthetics, Air Quality, Biological Resources, Cultural Resources, Geology /Soils, Greenhouse Gas Emissions, Hazards & Hazardous Materials, Hydrology / Water Quality, Land Use / Planning, Noise, Public Services, Recreation, Transportation/Traffic, Cultural Resources, and Utilities / Service Systems.

As a result, the aggregate impact of the work at JAMS, Will Rogers, Franklin, and the Other Santa Monica Campuses must be evaluated as one Project. **I am requesting that the Initial Study be redone for the combined Project and that the District prepare an Environmental Impact Report for the combined Project.**

Thanks,  
Wendy Dembo,  
Santa Monica Resident and SMMUSD Parent

2-1  
cont.

Response 2-1

This comment is similar to comment 1-1 of Comment Letter 1 (Nikki Kolhoff). Please see Response 1-1 above.

# Letter 3 Zina Josephs, on behalf of the Board of Directors of the Friends of Sunset Park

December 14, 2022

Letter  
3

**From:** [Tristan Evert](#)  
**To:** [Tristan Evert](#)  
**Subject:** FW: Comment to Initial Study and MND for John Adams Middle School  
**Date:** Monday, December 19, 2022 11:16:42 AM

**From:** [zinajosephs@aol.com](mailto:zinajosephs@aol.com)  
**Date:** December 14, 2022 at 7:43:02 PM EST  
**To:** "Upton, Carey" <[cupton@smmusd.org](mailto:cupton@smmusd.org)>, Board of Education <[brd@smmusd.org](mailto:brd@smmusd.org)>  
**Cc:** [zinajosephs@aol.com](mailto:zinajosephs@aol.com)  
**Subject:** Comment to Initial Study and MND for John Adams Middle School  
**Reply-To:** [zinajosephs@aol.com](mailto:zinajosephs@aol.com)

*CAUTION! This EXTERNAL email from [zinajosephs@aol.com](mailto:zinajosephs@aol.com) originated from outside SMMUSD. Do not click links or open attachments unless you recognize the sender and know the content is safe.*

Date: December 14, 2022

To: Carey Upton, Chief Operations Officer, Santa Monica-Malibu Unified School District  
CC: School Board

From: Board of Directors, Friends of Sunset Park (FOSP)

Re: Board of Friends of Sunset Park Comment to Initial Study and Mitigated Negative Declaration for John Adams Middle School

We, a majority of the Board of the Friends of Sunset Park, are writing with respect to the Draft Initial Study/ Proposed Mitigated Negative Declaration for John Adams Middle School dated November 2022 (the "MND").

Both John Adams Middle School and Will Rogers Learning Community are located within the Sunset Park neighborhood. FOSP is the city-recognized neighborhood organization for Sunset Park.

We ask that the impact of the John Adams Middle School ("JAMS") Campus Improvements and the Will Rogers Elementary School ("Will Rogers") Campus Expansion and Improvements be treated as one Project under CEQA. The District's current approach, treating them as separate projects, is piece-mealing under CEQA. Section 15378 of the CEQA Guidelines provides that a "Project" is "the whole of an action, which has a potential for resulting in either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment." The whole of the action in this case is the combined

3-1

project at both JAMS and Will Rogers.

JAMS and Will Rogers may be two school sites, but they are approximately 12 acres of construction area over three (3) contiguous blocks, separated only by the narrow 16<sup>th</sup> Street. The MNDs even use the same map to show the project location and surrounding area. In addition, the work at both schools is scheduled to occur in overlapping periods over the next eight (8) years.

Furthermore, the same surrounding neighborhood will be impacted by both the JAMS and Will Rogers construction in terms of the following environmental areas: Aesthetics, Air Quality, Biological Resources, Cultural Resources, Geology /Soils, Greenhouse Gas Emissions, Hazards & Hazardous Materials, Hydrology / Water Quality, Land Use / Planning, Noise, Public Services, Recreation, Transportation/Traffic, Cultural Resources, and Utilities / Service Systems.

As a result, the aggregate impact of the work at both JAMS and Will Rogers must be evaluated as one Project. **We are requesting that the Initial Study be redone for the combined Project and that the District prepare an Environmental Impact Report for the combined JAMS/Will Rogers Project.**

3-1  
cont.



Response 3-1

This comment is similar to comment 1-1 of Comment Letter 1 (Nikki Kolhoff). Please see Response 1-1 above.

## 3 MINOR REVISIONS TO THE DRAFT INITIAL STUDY

### 3.1 INTRODUCTION

This section presents specific text changes made to the Draft IS/MND since its publication and public review. The changes are presented in the order in which they appear in the original document and are identified by the Draft IS/MND page number. Text deletions are shown in strikethrough (~~strikethrough~~), and text additions are shown in underline (underline).

It should be noted that the following revisions do not change the intent or content of the analysis or effectiveness of mitigation measures presented in the Draft IS/MND and do not necessitate recirculation of the Draft IS/MND or preparation of an Environmental Impact Report.

### 3.2 DRAFT INITIAL STUDY/MITIGATED NEGATIVE DECLARATION REVISIONS

Pages 2-18, 2-19, 3-77, and 3-98 of the Draft IS/MND cite a section of the Santa Monica Municipal Code that sets forth the City's restrictions on construction activities. The text has been revised as follows to correct an error in the citation of the code section: Santa Monica Municipal Code Section 4.12.110~~4.12.1.110~~.

The text on page 3-57 of the Draft IS/MND is revised as follows to provide minor clarifications to the requirements of mitigation measure MM-HAZ-2:

#### **MM-HAZ-2: Lead-Based Paint Work Plan**

- ▶ The District will retain a licensed Professional Geologist, Professional Engineering Geologist, or Professional Engineer with more than 2 years of experience conducting hazardous material and contamination assessments to conduct soil sampling. The soil sampling will be conducted prior to any disturbance of the area(s) suspected of potential contamination to evaluate shallow soil conditions with respect to LBP residues from on-site structures built prior to 1994 and OCP from termiticide application from on-site structures built prior to 1989. If the soil sampling identifies the presence of contaminated soils, the contractor will prepare and implement a contaminated soils work plan (Work Plan) for removal of LBP and OCP residues from the on-site soils. The contractor will prepare and submit the Work Plan to the District for approval prior to commencing ground-disturbing activities in areas of contamination identified by the soil sampling. Affected Contaminated soils above action levels will be excavated and disposed of off-campus at a facility landfill permitted to accept such waste, and the campus will be remediated~~cleaned~~ to an acceptable level per DTSC requirements.

The text on page 3-98 of the Draft IS/MND is revised as follows to provide minor clarifications and to correct errors:

#### **Construction**

The Proposed Project would involve four phases of construction taking place between March 2023 and November 2026. As detailed in Chapter 2, "Project Description," construction activities would involve demolition, building construction, site preparation, grading, and architectural coating. Construction staging would remain within the campus. The Proposed Project construction is anticipated to occur between the hours of 8:00 a.m. to 6:00 p.m. Monday through Friday and 9:00 a.m. to 5:00 p.m. on Saturday which is consistent with the Santa Monica Municipal Code Section 4.12.110~~4.12.1.110~~. However, the District may obtain a permit waiver from the City to allow construction between 7:00 a.m. and 6:00 p.m. Monday through Friday~~5:00 p.m.~~ to improve safety and congestion, allowing the contractor to arrive and begin work prior to major drop-off of students.

The text on page 3-106 of the Draft IS/MND is revised as follows to provide minor clarifications:

As described in the Districtwide Plan for Sustainability, the District manages construction and demolition waste using waste prevention and diversion principles that exceed CALGreen waste diversion requirements. The District's Construction Waste Management and Disposal specifications require that all projects develop a waste management plan to identify strategies for reusing, salvaging, or disposing of non-hazardous waste materials generated during construction and demolition activities. Projects generating construction and demolition waste must collect and separate the waste, track and report on all waste generated, and recycle or salvage a minimum of 75 percent of the waste. This policy is intended to prioritize material recovery and re-use waste management strategies and minimize the disposal of construction and demolition waste in landfills (District 2019). Additionally, hazardous materials would be properly characterized, removed, and disposed of in accordance with applicable regulations, including the Resource Conservation and Recovery Act.

## 4 REFERENCES

Santa Monica-Malibu Unified School District. 2019 (March). *Districtwide Educational Specifications*. Available: <http://fip.smmusd.org/pdf/SMMUSD-EDSPECS031519.pdf>. Accessed August 30, 2022.

———. 2020 (October). *John Adams Middle School Campus Master Plan*. Prepared by Berliner Architects, Culver City, CA. Available: <https://www.smmusd.org/cms/lib/CA50000164/Centricity/Domain/4259/JAMSMasterPlan103120.pdf>. Accessed November 17, 2021.

District. See Santa Monica-Malibu Unified School District.