

**To:** Office of Planning and Research  
P.O. Box 3044, Room 113  
Sacramento, CA 95812-3044

**From:** Jackie Schaefer  
Bond Program Director  
Morgan Hill Unified School District  
15600 Concord Circle  
Morgan Hill, California 95037

County Clerk:  
County Clerk - Assessor - Recorder - Elections  
County of Santa Clara  
70 West Hedding Street  
San Jose, CA 95110

**Project Title:** Nordstrom Elementary School Administration Building Addition Project

**Project Applicant:** Morgan Hill Unified School District

**Project Location – Specific:** 1425 East Dunne Avenue (see Figure 1)

**Project Location – City:** Morgan Hill

**Project Location – County:** Santa Clara

**Description of Nature, Purpose and Beneficiaries of Project:**

The Morgan Hill Unified School District proposes to improve and expand the existing administration building at Nordstrom Elementary School (proposed project). The proposed project would include minor renovations to the school’s existing administration building and construction of an approximately 3,000-square foot addition to the building. The footprint of the proposed addition would be built in the current paved space between the existing administration building and existing classroom unit #2. The proposed addition would accommodate new staff and nurse offices, a staff lounge, a lobby and waiting room, a conference room, two (2) restrooms and various utilities/support spaces.

The proposed project is intended to improve administration and operation of the school, increase student safety and provide greater support for administration staff by upgrading and expanding relevant physical facilities.

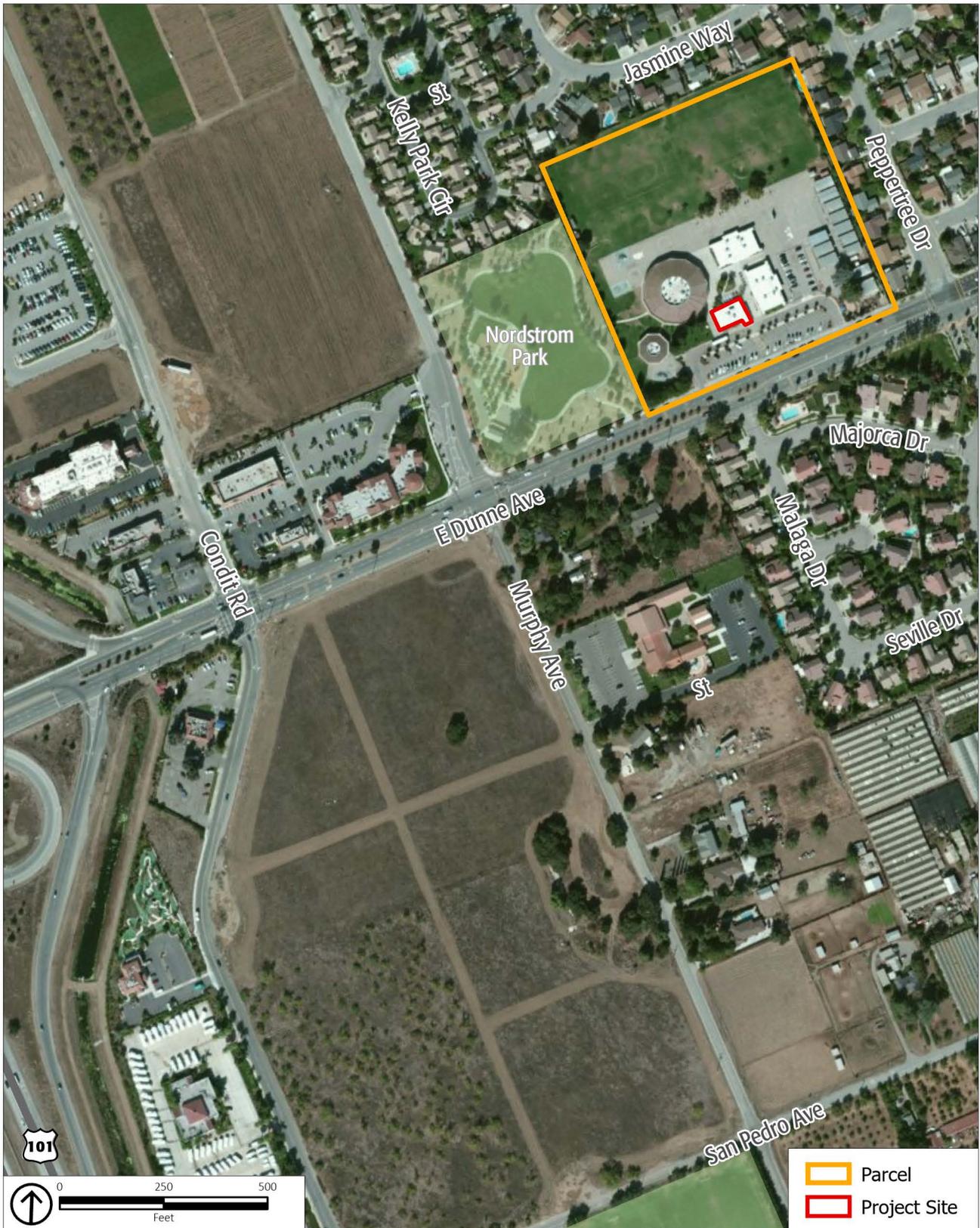
The proposed project would be limited to the existing campus site. It would not increase staff or student capacity or the number of classrooms at the school.

**Name of Public Agency Approving Project:** Morgan Hill Unified School District

**Name of Person or Agency Carrying Out Project:** Morgan Hill Unified School District

**Exempt Status: (check one):**

- Ministerial (Sec. 21080(b)(1); 15268);
- Declared Emergency (Sec. 21080(b)(3); 15269(a));
- Emergency Project (Sec. 21080(b)(4); 15269(b)(c));
- Categorical Exemption. State type and section number:
  - Class 4, Minor Alterations to Land (Section 15304)
  - Class 14, Minor Additions to Schools (Section 15314)
- Statutory Exemptions. State code number:



Source: PlaceWorks, 2021.

Figure 1  
Neighborhood Aerial

## NOTICE OF EXEMPTION

### Reasons why project is exempt:

#### Class 4, Minor Alterations to Land (Section 15304)

*Class 4, Minor Alterations to Land, consists of minor public or private alterations in the condition of land, water, and/or vegetation which do not involve removal of healthy, mature, scenic trees except for forestry or agricultural purposes.*

The proposed project would qualify for a Class 4 Categorical Exemption because it would not substantially alter the condition of the land. The proposed renovation of, and addition to, the existing administration building would be limited to a previously disturbed elementary school campus. The entire project site is paved, and the project would not involve the major removal of vegetation; removal of healthy, mature, scenic trees; or disturbance or alteration of waterways.

#### Class 14, Minor Additions to Schools (Section 15314)

*Class 14 consists of minor additions to existing schools within existing school grounds where the addition does not increase original student capacity by more than 25% or ten classrooms, whichever is less. The addition of portable classrooms is included in this exemption.*

The proposed project would qualify for a Class 14 Categorical Exemption because it would not increase the student body or number of classrooms at Nordstrom Elementary School. The scope of the proposed project would be limited to the school's administration facility and would further the existing purpose of administrative uses for the school.

#### Exceptions to Categorical Exemption Analysis

##### *15300.2 Exceptions*

*(a) Location. Classes 3, 4, 5, 6, and 11 are 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, these classes 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.*

As described above, the project site is in an urbanized, extensively developed area of Morgan Hill. It is entirely built out with an institutional development and associated surface parking; the project site has existing green/landscaped spaces consisting of ornamental plantings and a limited number of trees. As documented in the Morgan Hill 2035 General Plan Certified Environmental Impact Report, there are no riparian corridors, sensitive natural communities, areas of sensitive habitat, or areas of critical habitat occurring at the project site.<sup>1</sup>

According to the U.S. Fish & Wildlife Service, the critical habitats nearest the project site are:<sup>2</sup>

1. Bay checkerspot butterfly, 2.3 miles to the west
2. California red-legged frog, 2.2 miles to the east

Accordingly, the project is not located in an area with sensitive habitat and therefore, this exception does not apply to the project.

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<sup>1</sup> City of Morgan Hill, Morgan Hill 2035 General Plan Certified Environmental Impact Report (State Clearinghouse Number 2015022074), Chapter 4.4, Biological Resources.

<sup>2</sup> U.S. Fish & Wildlife Service, ECOS Environmental Conservation Online System, USFWS Threatened & Endangered Species Active Critical Habitat Report, <https://fws.maps.arcgis.com/home/webmap/viewer.html?webmap=9d8de5e265ad4fe09893cf75b8dbfb77>.

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*(b) 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.*

This exception does not apply to the proposed project. The proposed project's use and intensity is consistent with the current and surrounding uses of the project site. The proposed project would not increase capacity at the project site and would not result in any significant environmental impacts. Therefore, the proposed project would not be expected to contribute to significant cumulative impacts when considered along with other impacts or other reasonably foreseeable projects or when considered with the overall buildout under the City of Morgan Hill's General Plan or MHUSD school improvement projects.

*(c) 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.*

This exception does not apply to the proposed project. The project site is in an urbanized, extensively developed area of Morgan Hill and would be limited to a small area of a previously disturbed school campus. The project site has no green spaces or trees. There are no sensitive natural communities, no areas of sensitive habitat, and no areas of critical habitat occurring at the project site.<sup>3</sup> The campus is not listed or eligible for listing on the California Register of Historical Resources, and no recorded archaeological sites, or known paleontological resources are located on the project site.<sup>4</sup> Therefore, implementation of the proposed project would result in less-than-significant impacts to the environment.

If a proposed project disturbs one acre or more of land, it would be required to comply with the National Pollution Discharge System Elimination (NPDES) General Construction Permit (GCP) and prepare a Storm Water Pollution Prevention Plan (SWPPP). Per Section 18.140.030 of the Morgan Hill Municipal Code, projects resulting in 10,000 square feet or more of impervious surface require permanent stormwater pollution prevention measures. The proposed project would not disturb one acre or more of land or result in 10,000 square feet or more of impervious surface. The City of Morgan Hill in conjunction with the City of Gilroy and Santa Clara County has developed a Stormwater Management Guidance Manual for Low Impact Development and Post-Construction Requirements. Projects that create or replace 5,000 or more square feet of impervious surface must treat runoff with an approved and appropriately sized low impact development (LID) treatment system prior to discharge. Projects that create or replace 15,000 square feet or more of impervious surface must prevent discharge from events up to the 95th percentile rainfall event using stormwater control measures, and projects that create or replace 22,500 square feet or more of impervious surface must control post-project peak flows not to exceed pre-project peak flows for the 2-year through 10-year storm events. The proposed project would not introduce over 5,000 square feet of impervious surface to the site, and as such would not exceed these regulatory thresholds.

The proposed project would require minimal grading, resulting in an insignificant level of disturbance of land. As such it would not result in significant impacts related to stormwater runoff, pollutant discharge, or erosion. There are no unusual circumstances that would result in the proposed project having a significant effect on the environment.

*(d) 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.*

This exception does not apply to the proposed project. The closest officially designated state scenic highway is the 3.4-mile segment of Route 9 in the cities of Saratoga and Los Gatos.<sup>5</sup> This segment is about 20 miles northwest of the project site. This

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<sup>3</sup> City of Morgan Hill, Morgan Hill 2035 General Plan Certified Environmental Impact Report (State Clearinghouse Number 2015022074), Chapter 4.4, Biological Resources.

<sup>4</sup> City of Morgan Hill, Morgan Hill 2035 General Plan Certified Environmental Impact Report (State Clearinghouse Number 2015022074), Chapter 4.5, Cultural Resources.

<sup>5</sup> California Department of Transportation, State Scenic Highway Map web page, <https://caltrans.maps.arcgis.com/apps/webappviewer/index.html?id=2e921695c43643b1aaf7000dfcc19983>.

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distance, combined the limited vertical profile of the proposed project and the location of the project site on an existing school campus, would not damage scenic resources within a highway officially designated as a state scenic highway.

*(e) 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.*

This exception does not apply to the proposed project. The proposed project is not included on any list compiled pursuant to Section 65962.5 and therefore would not pose an environmental hazard to surrounding sensitive uses. In meeting the provisions in Government Code Section 65962.5, commonly referred to as the "Cortese List," database resources that provide information regarding identified facilities or sites include EnviroStor, GeoTracker, and other lists compiled by the California Environmental Protection Agency.

According to the California State Water Resources Control Board GeoTracker database, there are no hazardous waste sites on the Nordstrom Elementary School campus or within 1,000 feet of the school.<sup>6</sup>

According to the Department of Toxic Substances Control EnviroStor tracking system, there are no federal Superfund, State response, voluntary cleanup, tiered permit, corrective action, hazardous waste permit, or monitoring wells on the Nordstrom Elementary School campus or within 1,000 feet of the school.<sup>7</sup>

Accordingly, this exception does not apply to the proposed project.

*(f) 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.*

This exception does not apply to the proposed project. As recorded in the *Morgan Hill 2035 General Plan Certified Environmental Impact Report*, the federal, State, and City historic registers do not indicate any historically or architecturally significant buildings designated on or near Nordstrom Elementary School.<sup>8</sup>

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<sup>6</sup> California State Water Resources Control Board, GeoTracker webpage,  
<https://geotracker.waterboards.ca.gov/map/?CMD=runreport&myaddress=winton+lorin+elementary>

<sup>7</sup> California Department of Toxic Substances Control, EnviroStor webpage,  
[https://www.envirostor.dtsc.ca.gov/public/map/?global\\_id=01500103](https://www.envirostor.dtsc.ca.gov/public/map/?global_id=01500103)

<sup>8</sup> City of Morgan Hill, *Morgan Hill 2035 General Plan Certified Environmental Impact Report* (State Clearinghouse Number 2015022074), Chapter 4.5, Cultural Resources.

**NOTICE OF EXEMPTION**

**Lead Agency Contact Person:** Jackie Schaefer, Bond Program Director  
**Area Code/Telephone/Extension:** (408) 201-6088

**If filed by applicant:**

1. Attach certified document of exemption finding.
2. Has a Notice of Exemption been filed by the public agency approving the project?  Yes  No

**Signature:** \_\_\_\_\_ **Date:** \_\_\_\_\_  
**Title:** \_\_\_\_\_

- Signed by Lead Agency
- Signed by Applicant

*Authority cited: Sections 21083 and 21110, Public Resources Code. Date Received for filing at OPR: \_\_\_\_\_*  
*Reference: Sections 21108, 21152, and 21152.1, Public Resources Code.*

## **NOTICE OF EXEMPTION**

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