



# JEFFERSON MIDDLE SCHOOL GYMNASIUM

Torrance Unified School District



August 2015 | Response to Comments

# JEFFERSON MIDDLE SCHOOL GYMNASIUM

Torrance Unified School District

*Prepared for:*

**Torrance Unified School District**

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*Prepared by:*

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# 1. Introduction

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## 1.1 INTRODUCTION

This document includes a compilation of the public comments received on the Jefferson Middle School Gymnasium Mitigated Negative Declaration and Initial Study (collectively, “MND”; State Clearinghouse No. 2015061106) and Torrance Unified School District’s (District) responses to the comments.

Under the California Environmental Quality Act (CEQA), a lead agency has no affirmative duty to prepare formal responses to comments on an MND. The lead agency, however, should have adequate information on the record explaining why the comments do not affect the conclusion of the MND that there are no potentially significant environmental effects. In the spirit of public disclosure and engagement, the District—as the lead agency of the proposed Jefferson Middle School Gymnasium project—has responded to all written comments submitted during the 30-day MND public review period, which began June 30, 2015, and closed July 29, 2015.

## 1.2 DOCUMENT FORMAT

This document is organized as follows:

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

**Section 2, *Response to Comments*.** This section provides a list of all entities commenting on the MND, copies of comment letters received during the public review period, and individual responses to written comments. To facilitate review of the responses, each comment letter has been reproduced and assigned a number. Individual comments have been numbered for each letter, and the letter is followed by responses with references to the corresponding comment number.

**Appendix A, *Mitigation Monitoring and Reporting Program*.** The Mitigation Monitoring and Reporting Program (MMRP) lists all the mitigation measures required for implementation of the project, the phase in which the measures would be implemented, and the enforcement agency responsible for compliance. The monitoring program provides 1) a mechanism for giving the lead agency staff and decision makers feedback on the effectiveness of their actions; 2) a learning opportunity for improved mitigation measures on future projects; and 3) a means of identifying corrective actions, if necessary, before irreversible environmental damage occurs.

## 1.3 CEQA REQUIREMENTS REGARDING COMMENTS AND RESPONSES

CEQA Guidelines Section 15204 (b) outlines parameters for submitting comments on negative declarations, and reminds persons and public agencies that the focus of review and comment of MNDs should be “on the proposed findings that the project will not have a significant effect on the environment. If the commenter

## 1. Introduction

believes that the project may have a significant effect, it 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 EIR is determined in terms of what is reasonably feasible. ...CEQA does not require a lead agency to conduct every test or perform all research, study, and experimentation recommended or demanded by commenters. When responding to comments, lead agencies need only respond to 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 EIR.

CEQA Guidelines Section 15204 (c) further advises, “Reviewers 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.”

Section 15204 (d) also states, “Each responsible agency and trustee agency shall focus its comments on environmental information germane to that agency’s statutory responsibility.” Section 15204 (e) states, “This 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. 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.

Although not required by CEQA, the District will make this document available on its website prior to the date of the public hearing.



## 2. Response to Comments

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This section provides all written comments received on the circulated MND and the District's response to each comment.

The District received following comment letter on the circulated MND during the public review period.




Number Reference	Commenting Person/Agency	Date of Comment	Page No.
A	Scott Morgan, State Clearinghouse and Planning Unit	July 30, 2015	2-3

## 2. Response to Comments

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## 2. Response to Comments

LETTER A – Scott Morgan, State Clearinghouse and Planning Unit. (2 page[s])

 EDMUND G. BROWN JR. GOVERNOR	<p>STATE OF CALIFORNIA</p> <p>GOVERNOR'S OFFICE of PLANNING AND RESEARCH</p> <p>STATE CLEARINGHOUSE AND PLANNING UNIT</p>	 KEN ALEX DIRECTOR
July 30, 2015		
Donald Stabler Torrance Unified School District 2335 Del Amo Plaza Blvd. Torrance, CA 90509		
Subject: Jefferson Middle School Gymnasium SCH#: 2015061106		
Dear Donald Stabler:		
<p>The State Clearinghouse submitted the above named Mitigated Negative Declaration to selected state agencies for review. The review period closed on July 29, 2015, and no state agencies submitted comments by that date. This letter acknowledges that you have complied with the State Clearinghouse review requirements for draft environmental documents, pursuant to the California Environmental Quality Act.</p> <p>Please call the State Clearinghouse at (916) 445-0613 if you have any questions regarding the environmental review process. If you have a question about the above-named project, please refer to the ten-digit State Clearinghouse number when contacting this office.</p>		
Sincerely, 		
Scott Morgan Director, State Clearinghouse		
1400 10th Street P.O. Box 3044 Sacramento, California 95812-3044 (916) 445-0613 FAX (916) 323-3018 <a href="http://www.opr.ca.gov">www.opr.ca.gov</a>		

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A-1

## 2. Response to Comments

Document Details Report State Clearinghouse Data Base			
<b>SCH#</b>	2015061106		
<b>Project Title</b>	Jefferson Middle School Gymnasium		
<b>Lead Agency</b>	Torrance Unified School District		
<b>Type</b>	MND Mitigated Negative Declaration		
<b>Description</b>	The proposed project is the construction of a new gymnasium on the Jefferson Middle School campus. The gymnasium would be developed in the playground, at the southernmost end of the blacktop, near Carson Street. The facility would be approximately 7,500 sf, with pull-out bleachers for seating of up to 300 spectators. The gymnasium would primarily accommodate existing activities currently held at the school. Although no joint-use programs are proposed for the gymnasium, the facility would be available for community use through the Civic Center Act.		
<b>Lead Agency Contact</b>			
<b>Name</b>	Donald Stabler		
<b>Agency</b>	Torrance Unified School District		
<b>Phone</b>	310 972 6500	<b>Fax</b>	
<b>email</b>			
<b>Address</b>	2335 Del Amo Plaza Blvd.		
<b>City</b>	Torrance	<b>State</b>	CA <b>Zip</b> 90509
<b>Project Location</b>			
<b>County</b>	Los Angeles		
<b>City</b>	Torrance		
<b>Region</b>			
<b>Lat / Long</b>	33° 49' 52" N / 118° 21' 30" W		
<b>Cross Streets</b>	Carson Street and Talsman Street		
<b>Parcel No.</b>	7525-016-900		
<b>Township</b>	4S	<b>Range</b>	14W <b>Section</b> 9 <b>Base</b> SBB&M
<b>Proximity to:</b>			
<b>Highways</b>	SR-1; SR-107		
<b>Airports</b>	Torrance		
<b>Railways</b>	BNSF		
<b>Waterways</b>	Pacific Ocean		
<b>Schools</b>	Jefferson MS		
<b>Land Use</b>	Z: Public Use (PU); GP: Public/Quasi-Public/Open Space		
<b>Project Issues</b>	Aesthetic/Visual; Agricultural Land; Air Quality; Archaeologic-Historic; Biological Resources; Drainage/Absorption; Flood Plain/Flooding; Forest Land/Fire Hazard; Geologic/Seismic; Minerals; Noise; Population/Housing Balance; Public Services; Recreation/Parks; Schools/Universities; Sewer Capacity; Soil Erosion/Compaction/Grading; Solid Waste; Toxic/Hazardous; Traffic/Circulation; Vegetation; Water Quality; Water Supply; Wetland/Riparian; Landuse; Cumulative Effects; Growth Inducing; Other Issues		
<b>Reviewing Agencies</b>	Resources Agency; California Coastal Commission; Department of Fish and Wildlife, Region 5; Department of Parks and Recreation; Department of Water Resources; Caltrans, Division of Aeronautics; California Highway Patrol; Caltrans, District 7; Air Resources Board; Regional Water Quality Control Board, Region 4; Native American Heritage Commission; Public Utilities Commission; State Lands Commission		
<b>Date Received</b>	06/30/2015	<b>Start of Review</b>	06/30/2015 <b>End of Review</b> 07/29/2015

## 2. Response to Comments

### A. **Response to Comments from Scott Morgan, State Clearinghouse and Planning Unit, dated July 30, 2015.**

A-1        The commenter states that the State Clearinghouse submitted the Jefferson Middle School Gymnasium Mitigated Negative Declaration to state agencies and that as of the close of the 30-day review period, no state agencies submitted comments. The commenter also confirms that the Torrance Unified School District (District) complied with the State Clearinghouse review requirements, pursuant to the California Environmental Quality Act. The comment is noted. No additional response is required.

## 2. Response to Comments

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## Appendix A    Mitigation Monitoring and Reporting Program

## Appendix

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August 2015 | Mitigation Monitoring and Reporting Program

# Jefferson Middle School Gymnasium

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# 1. Introduction

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## 1.1 PURPOSE OF MITIGATION MONITORING AND REPORTING PROGRAM

The Torrance Unified School District (District) is the lead agency for the proposed Jefferson Middle School Gymnasium project and has developed this Mitigation Monitoring and Reporting Program (MMRP) as a vehicle for monitoring mitigation measures outlined in the Jefferson Middle School Gymnasium Mitigated Negative Declaration (MND), State Clearinghouse No. 2015061106. As the lead agency, the District is responsible for implementing the MMRP, which has been prepared in conformance with Section 21081.6 of the Public Resources Code:

- (a) When making findings required by paragraph (1) of subdivision (a) of Section 21081 or when adopting a mitigated negative declaration pursuant to paragraph (2) of subdivision (c) of Section 21080, the following requirements shall apply:
  - (1) The public agency shall adopt a reporting or monitoring program for the changes made to the project or conditions of project approval, adopted in order to mitigate or avoid significant effects on the environment. The reporting or monitoring program shall be designed to ensure compliance during project implementation. For those changes which have been required or incorporated into the project at the request of a responsible agency or a public agency having jurisdiction by law over natural resources affected by the project, that agency shall, if so requested by the lead or responsible agency, prepare and submit a proposed reporting or monitoring program.
  - (2) The lead agency shall specify the location and custodian of the documents or other material which constitute the record of proceedings upon which its decision is based.

The MMRP consists of mitigation measures that avoid, reduce, and/or fully mitigate potential environmental impacts. The mitigation measures have been identified and recommended through preparation of the Mitigated Negative Declaration and drafted to meet the requirements of Public Resources Code, Section 21081.6.

## 1. Introduction

## 1.2 PROJECT CHARACTERISTICS

### 1.2.1 Project Location

The site is on the southeast corner of Jefferson Middle School at 21717 Talisman Street in the City of Torrance.

### 1.2.2 Proposed Improvements

The proposed project is the construction and operation of a new gymnasium on the Jefferson Middle School campus. The new structure would be developed near the southeast corner of the school, on existing handball and basketball hardcourts near Carson Street. The gymnasium would be 7,500 square feet with pull-out bleachers for seating up to 300 spectators.

### 1.2.3 Project Operation

Development of the proposed gymnasium would not significantly change existing operations of the school, which would continue to operate under the current schedule. The gymnasium would supplement the school's physical education program with new locker facilities and an indoor multiuse basketball and volleyball court. Although no joint-use programs are proposed for the gymnasium, the facility would be available for community use through the Civic Center Act.

### 1.2.4 Construction Schedule

Construction would be completed in one general phase, with the demolition of existing infrastructure commencing in February 2016. Construction would last approximately 16 months.

### 1.2.5 Project Design Features

The following project design features (PDFs) have been incorporated into the proposed project to minimize construction-related noise impacts on the Jefferson Middle School program when school is in session:

A During the phases of construction that typically use the most vibration-intensive equipment (i.e., grading and trenching phases), if heavy equipment such as vibratory rollers, jack hammers, hoe rams, large bulldozers, or loaded trucks are used, one of the following measures will be taken:

- (1) Limit the operation of heavy equipment at the construction zone to outside school instructional hours (after school is released in the afternoon, Saturday, or during extended school breaks).

OR

- (2) Vibratory rollers, jack hammers, hoe rams, large bulldozers, and loaded trucks will not be operated at the construction zone within 50 feet of the classrooms at JMS when school is in session.

OR

## 1. Introduction

- (3) Relocate students to campus facilities that are at least 50 feet from the edge of the construction zone.
- B Prior to construction, the District will meet with the construction contractor to discuss alternative methods to reduce vibration impacts of demolition and construction activities at instructional buildings within 75 feet of the construction zone(s). During the pre-construction meeting, the construction contractor will identify demolition methods not involving vibration-intensive construction equipment or activities.
- C Prior to construction activities, the construction contractor will inspect and report on the current foundation and structural condition of the existing instructional buildings that are less than 25 feet from the construction site.
- D The construction contractor will implement alternative, less vibration-intensive methods identified in the preconstruction meeting during demolition, excavation, and construction for work conducted less than 25 feet to instructional buildings.

## 1.3 ENVIRONMENTAL IMPACTS

### 1.3.1 Impacts Considered Less Than Significant

The MND and supporting Initial Study identified various thresholds from the CEQA Guidelines in a number of environmental categories that would not be significantly impacted by the proposed project and therefore did not require mitigation. Impacts to the following environmental resources were found to be less than significant:

- |                                      |                                 |
|--------------------------------------|---------------------------------|
| ■ Aesthetics                         | ■ Land Use and Planning         |
| ■ Agriculture and Forestry Resources | ■ Mineral Resources             |
| ■ Air Quality                        | ■ Noise                         |
| ■ Biological Resources               | ■ Population and Housing        |
| ■ Geology and Soils                  | ■ Public Services               |
| ■ Greenhouse Gas Emissions           | ■ Recreation                    |
| ■ Hazards and Hazardous Materials    | ■ Transportation and Traffic    |
| ■ Hydrology and Water Quality        | ■ Utilities and Service Systems |

### 1.3.2 Potentially Significant Adverse Impacts That Can Be Mitigated, Avoided, or Substantially Lessened

Cultural Resources was the only environmental topic identified as having potentially significant impacts that could be reduced, avoided, or substantially lessened through implementation of mitigation measures. No significant and unavoidable impacts were identified.

## 1. Introduction

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## 2. Mitigation Monitoring Process

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### 2.1 MITIGATION MONITORING PROGRAM ORGANIZATION

Overall MMRP management is the responsibility of the District. The District's technical consultants (CEQA consultant, archaeologist, paleontologist, etc.) may perform related monitoring tasks under the direction of the environmental monitor (if they are contracted by the District).

### 2.2 TORRANCE UNIFIED SCHOOL DISTRICT

The District is the designated lead agency for the MMRP and has the overall responsibility for the review of all monitoring reports, enforcement actions, and document disposition. The District will rely on information provided by individual monitors (e.g., CEQA consultant, archaeologist, paleontologist), presuming it to be accurate and up to date, and will field check mitigation measure status, as required.

### 2.3 MITIGATION MONITORING TEAM

The mitigation monitoring team, including the construction manager and technical advisors (CEQA consultant, archaeologist, paleontologist), is responsible for monitoring implementation/compliance with all adopted mitigation measures and conditions of approval. A major portion of the team's work is field monitoring and compliance report preparation. Implementation disputes are brought to the District Superintendent and/or his designee.

#### 2.3.1 Monitoring Team

The following summarizes key positions in the MMRP and their functions:

- **Construction Manager:** Responsible for coordination of mitigation monitoring team; technical consultants; report preparation; and implementing the monitoring program, including overall program administration, document/report clearinghouse, and first phase of dispute resolution.
- **Technical Advisors:** Responsible for monitoring in their areas of expertise (CEQA, archaeology, paleontology). Report directly to the monitoring program manager.

#### 2.3.2 Recognized Experts

Recognized experts are required on the monitoring team to ensure compliance with scientific and engineering mitigation measures. The mitigation monitoring team's recognized experts will assess compliance with required mitigation measures, and recognized experts from responsible agencies will consult with the construction manager regarding disputes.

## 2. Mitigation Monitoring Process

### 2.4 ARBITRATION RESOLUTION

If a mitigation monitor is of the opinion that a mitigation measure has not been implemented or has not been implemented correctly, the problem will be brought before the construction manager for resolution. The decision of the construction manager is final unless appealed to the District superintendent and/or his designee. The construction manager will have the authority to issue stop work orders until the dispute is resolved.

### 2.5 ENFORCEMENT

Agencies may enforce conditions of approval through their existing police power using stop work orders; fines; infraction citations; or in some cases, notice of violation for tax purposes.

## 3. Mitigation Monitoring Requirements

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### 3.1 PREMONITORING MEETING

A premonitoring meeting will be scheduled to review mitigation measures, implementation requirements, schedule conformance, and monitoring team responsibilities. Team rules will be established, the entire mitigation monitoring program presented, and any misunderstandings resolved.

### 3.2 CATEGORIZED MITIGATION MEASURES/TABLE

Project-specific mitigation measures have been categorized in Table 3-1, *Mitigation Monitoring Requirements*. The table identifies the environmental impact, specific mitigation measures, schedule, and responsible monitor. The mitigation table will serve as the basis for scheduling the implementation of and compliance with all mitigation measures.

### 3.3 FIELD MONITORING

Project monitors and technical subconsultants shall exercise caution and professional practices at all times when monitoring implementation of mitigation measures. Protective wear (e.g., hard hat, glasses) shall be worn at all times in construction areas. Injuries shall be immediately reported to the mitigation monitoring team.

### 3.4 COORDINATION WITH CONTRACTORS

The construction manager is responsible for coordination of contractors and for contractor completion of required mitigation measures.

### 3. Mitigation Monitoring Requirements

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### 3. Mitigation Monitoring Requirements

**Table 3-1 Mitigation Monitoring Requirements**

Mitigation Measure		Responsibility for Implementation	Timing	Responsibility for Monitoring	Monitor (Signature Required) (Date of Compliance)
<b>CULTURAL RESOURCES</b>					
CUL-1	Prior to the beginning of ground disturbances, Torrance Unified School District shall retain a qualified archaeologist/paleontologist to monitor ground-disturbing activities that occur five feet below ground surface. The archaeologist shall meet the Secretary of the Interior's Professional Qualifications Standards (48 Federal Register 44738-39). Before ground-disturbing activities begin, the archaeologist/ paleontologist shall prepare an archaeological monitoring plan consistent with CEQA Guidelines section 15064.5, specifying the frequency, duration, and methods of monitoring. The archaeologist/paleontologist shall train construction workers regarding types of archaeological and paleontological resources that could be identified in site soils. The archaeologist/paleontologist shall have the authority to stop grading or construction work within 25 feet of the site of any discovery of potential historical, archaeological, or paleontological resources until a find can be recovered and the significance of the find identified per CEQA. All resources recovered shall be curated at the facilities of the Natural History Museum of Los Angeles County.	Qualified archaeologist and paleontologist	Before and during ground-disturbing construction activities	Construction Manager and Torrance Unified School District	

### 3. Mitigation Monitoring Requirements

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## 4. Mitigation Monitoring Reports

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Mitigation monitoring reports are required to document compliance with the Mitigation Monitoring Program and to dispute arbitration enforcement resolution. Specific reports include:

- Field Check Report
- Implementation Compliance Report
- Arbitration/Enforcement Report

### 4.1 FIELD CHECK REPORT

Field check reports are required to record in-field compliance and conditions.

### 4.2 IMPLEMENTATION COMPLIANCE REPORT

The Implementation Compliance Report is prepared to document the implementation of mitigation measures, based on the information in Table 3-1. The report summarizes implementation compliance, including mitigation measures, date completed, and monitor's signature.

### 4.3 ARBITRATION/ENFORCEMENT REPORT

The Arbitration/Enforcement Report is prepared to document the outcome of arbitration review and becomes a portion of the ICR.

## 4. Mitigation Monitoring Reports

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## 5. Community Involvement

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Monitoring reports are public documents and are available for review by the general public. Discrepancies in monitoring reports can be taken to the District Superintendent and/or his designee by the general public.

## 5. Community Involvement

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## 6. Report Preparation

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### 6.1 LIST OF PREPARERS

#### PlaceWorks

Barbara Heyman, Associate Principal

Michael Paul, Assistant Planner

#### Torrance Unified School District

Donald Stabler, Ed.D, Assistant Superintendent, Business Services

## Report Preparation

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