

Mountain View Whisman School District

Resolution No. 02-061622

Determination that the Jose Vargas Elementary School Tree Removal Project is Exempt from the California Environmental Quality Act, Deciding to Carry Out the Project, and Directing the Filing of the Notice of Exemption

WHEREAS, the Mountain View Whisman School District (“**District**”) has developed the Jose Vargas Elementary School Tree Removal Project (“**Project**”); and,

WHEREAS, the Project is located at Jose Vargas Elementary School at 220 N. Whisman Road, Mountain View, CA 94043 (“**Site**”); and,

WHEREAS, the District must comply with the California Environmental Quality Act (“**CEQA**”) for the Project; and,

WHEREAS, the Project consists of the removal of nine (9) ornamental pine trees and replacing them with 18 smaller native trees; and,

WHEREAS, categorical exemptions to CEQA are set forth in Article 19 of Title 14 of the California Code of Regulations (“**CEQA Guidelines**”); and,

WHEREAS, the Class 4 Categorical Exemption set forth in CEQA Guidelines section 15304, exempts a project that consists of minor public or private alterations in the condition of land or vegetation that do not include removal of healthy, mature, scenic trees; and,

WHEREAS, here, the Project meets the definition of the Class 4 Exemption because it consists of the removal of nine healthy and mature pine trees that are not scenic, and replacement of them with smaller trees on a public school site, which are minor alterations to land; and,

WHEREAS, CEQA Guidelines section 15300.2 provides certain exceptions that except the use of the Class 4 Categorical Exemption: 1) where the cumulative impact of successive projects of the same type in the same place would be significant over time; (2) a significant environmental impact would occur due to unusual circumstances; (3) a project that would cause damage to scenic elements within a designated state scenic highway; (4) a project that is on a site designated as a Hazardous Waste Site; and (5) a project that causes a substantial adverse change to a historical resource. Here, (1) the District has not proposed any successive projects at the same location, (2) there are no unusual circumstances caused by the Project, (3) the Project is not within a scenic highway, (4) the Project is not on a Hazardous Waste site, (5) the Project will not affect existing buildings or structures, and (6) the project's location is not in a particularly sensitive environment. Thus, none of the exceptions apply here.

NOW, THEREFORE, it is found, determined, and resolved by the Governing Board of the District (“**Board**”) as follows:

Section 1. The Project meets the definition of the Class 4 Categorical Exemption (CEQA Guidelines, § 15304) because the Project consists of removing and replacing trees which is the same purpose and involves no expansion of use.

Section 2. There are no exceptions that would except the Project from being categorically exempt.

Section 3. The applicable requirements of CEQA have been fulfilled for the Project.

Section 4. The District is approved to carry out the Project.

Section 5. The Superintendent or the Superintendent's designee is authorized and directed to file the attached Notice of Exemption for the Project with the Santa Clara County Clerk.

PASSED AND ADOPTED by the Governing Board of the Mountain View Whisman School District this day of June 16, 2022, by the following vote:

AYES:

NOES:

ABSENT:

ABSTENTIONS:

Clerk of the Board of Trustees
Mountain View Whisman School District
Santa Clara County, California

Attachment