

Response to Comments Document

**LOS ALTOS SCHOOL DISTRICT'S PROVISION OF  
FACILITIES FOR BULLIS CHARTER SCHOOL  
(2015-2016 TO 2018-2019 SCHOOL YEARS)**

Environmental Impact Report  
SCH No. 2014122051

Prepared for  
Los Altos School District

May 2015





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May 2015



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# CHAPTER 1

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## Introduction

### A. CEQA Process

On March 6, 2015, the Los Altos School District (LASD, or District), as Lead Agency under the California Environmental Quality Act (CEQA), released for public review a Draft Environmental Impact Report (Draft EIR) on the District's Provision of Facilities for Bullis Charter School (2015-2016 to 2018-2019 School Years) (project). A 45-day public review and comment period on the Draft EIR began on March 6, 2015, and closed on April 20, 2015.

The Draft EIR, together with this Response to Comments Document, constitutes the Final EIR for the proposed project. The Final EIR is an informational document prepared by the Lead Agency that must be considered by decision-makers before approving the proposed project (CEQA Guidelines, Section 15090). The CEQA Guidelines (Section 15132) specify the following:

“The Final EIR shall consist of:

- (a) The Draft EIR or a revision of that draft.
- (b) Comments and recommendations received on the Draft EIR either verbatim or in a summary.
- (c) A list of persons, organizations, and public agencies commenting on the Draft EIR.
- (d) The responses of the Lead Agency to significant environmental points raised in the review and consultation process.
- (e) Any other information added by the Lead Agency.”

This document has been prepared pursuant to CEQA and in conformance with the CEQA Guidelines. This Response to Comments Document incorporates comments from public agencies and the general public, and contains appropriate responses by the Lead Agency to those comments and their environmental points.

### B. Method of Organization

This EIR Response to Comments Document for the proposed project contains information in response to comments raised during the public comment period and is organized herein as follows:

**Chapter 1** describes the CEQA process and the organization of this Response to Comments Document.

**Chapter 2** contains a list of all agencies, persons and organizations that submitted written comments on the Draft EIR both during and after the public review period.

**Chapter 3** contains copies of the comment letters, and the responses to those comments. Within each letter, individual comments are labeled with a number in the margin. Immediately following the comment letter are responses to each of the numbered comments.

**Chapter 4** contains an errata identifying text changes to the Draft EIR. Some changes were made by the District; others were made in response to comments received on the Draft EIR.

## CHAPTER 2

# Agencies and Persons Commenting on the Draft EIR

## A. Agencies and Persons Commenting in Writing

The following agencies and individuals submitted written comments on the Draft EIR during the public review period.

Letter	Person/Agency and Signatory	Date
A	State of California Governor's Office of Planning and Research, State Clearinghouse and Planning Unit (Scott Morgan, Director State Clearinghouse) <sup>1</sup>	April 22, 2015
B	State of California Department of Transportation, District 4 (Patricia Maurice, Acting District Branch Chief, Local Development – Intergovernmental Review)	April 16, 2015
C	Department of Toxic Substances Control (Harold Duke, PG, Senior Engineering Geologist, Northern California Schools, Brownfields and Environmental Restoration Program); with attachment	April 20, 2015
D	City of Los Altos, Community Development Department (David Kornfield, Planning Services Manager)	April 20, 2015
E	Katherine Weller	April 2, 2015

The following agencies and individuals submitted written comments on the Draft EIR subsequent to the close of the public review period on April 20, 2015. While not required to do so by CEQA, the District has elected to respond to these late comment letters to enhance the informational purpose of the EIR:

<sup>1</sup> The State Clearinghouse received all state agency letters commenting on Draft EIR during the public review period, after which it forwarded its letter along with state agency comment letters it received to the Lead Agency; consequently, while the State Clearinghouse's submittal was received by the District after the close of the public review period, it is not considered late.

<b>Letter</b>	<b>Person/Agency and Signatory</b>	<b>Date</b>
F.	State of California Department of Transportation, District 4 (Patricia Maurice, Acting District Branch Chief, Local Development – Intergovernmental Review)	April 29, 2015
G	George Jelich	April 21, 2015
H	Lynn Hawley-Wildmoser	April 21, 2015
I	Judith Bragg	April 22, 2015

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## **CHAPTER 3**

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# **Written Comments on the Draft EIR and Responses to Comments**

This chapter contains copies of the comment letters received on the Draft EIR (both during and after the close of the public review period) and the District's individual responses to those comments. The written comment letters received during the public comment period are designated with the letters "A" through "E" in the upper right-hand corner of the letter, and the comment letters received after the close of the public review period, which the District has also elected to respond to, are designated with the letters "F" through "I."

Within each written comment letter, individual comments are labeled with a number in the margin. Immediately following each comment letter is an individual response to each numbered comment. Where responses have resulted in changes to the Draft EIR, these changes also appear in Chapter 4 of this Response to Comments Document.



Edmund G. Brown Jr.  
Governor

STATE OF CALIFORNIA  
Governor's Office of Planning and Research  
State Clearinghouse and Planning Unit



Ken Alex  
Director

April 22, 2015

Randy Kenyon  
Los Altos School District  
201 Covington Road  
Los Altos, CA 94024

Subject: Provision of Facilities for Bullis Charter School  
SCH#: 2014122051

Dear Randy Kenyon:

The State Clearinghouse submitted the above named Draft EIR to selected state agencies for review. On the enclosed Document Details Report please note that the Clearinghouse has listed the state agencies that reviewed your document. The review period closed on April 20, 2015, and the comments from the responding agency (ies) is (are) enclosed. If this comment package is not in order, please notify the State Clearinghouse immediately. Please refer to the project's ten-digit State Clearinghouse number in future correspondence so that we may respond promptly.

Please note that Section 21104(c) of the California Public Resources Code states that:

"A responsible or other public agency shall only make substantive comments regarding those activities involved in a project which are within an area of expertise of the agency or which are required to be carried out or approved by the agency. Those comments shall be supported by specific documentation."

A-1

These comments are forwarded for use in preparing your final environmental document. Should you need more information or clarification of the enclosed comments, we recommend that you contact the commenting agency directly.

This letter acknowledges that you have complied with the State Clearinghouse review requirements for draft environmental documents, pursuant to the California Environmental Quality Act. Please contact the State Clearinghouse at (916) 445-0613 if you have any questions regarding the environmental review process.

Sincerely,

Scott Morgan  
Director, State Clearinghouse

Enclosures  
cc: Resources Agency

**Document Details Report  
State Clearinghouse Data Base**

**Letter A**

**SCH#** 2014122051  
**Project Title** Provision of Facilities for Bullis Charter School  
**Lead Agency** Los Altos School District

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**Type** EIR    Draft EIR

**Description** The proposed project would provide school facilities, including the installation of several new portable structures at the Blach and Egan Campuses, to support and accommodate BCS' projected increase in the number of BCS students and associated faculty/staff. The District would allocate school facilities to BCS for the next four years based upon a projection of BCS enrollment beginning in the 2015-2016 school year and ending in the 2018-2019 school year. Because of the expansion of BCS on the Blach Campus, the District would relocate Stepping Stones Preschool (which operates on LASD property pursuant to a lease agreement) to the Covington Campus in an area designated for District (rather than school) use.

---

**Lead Agency Contact**

<b>Name</b>	Randy Kenyon	
<b>Agency</b>	Los Altos School District	
<b>Phone</b>	650 947 1150	<b>Fax</b>
<b>email</b>		
<b>Address</b>	201 Covington Road	
<b>City</b>	Los Altos	<b>State</b> CA <b>Zip</b> 94024

---

**Project Location**

<b>County</b>	Santa Clara		
<b>City</b>	Los Altos		
<b>Region</b>			
<b>Lat / Long</b>	37° 22' 17.62" N / 122° 6' 25.48" W		
<b>Cross Streets</b>	100 West Portola Avenue and San Antonio Road (Egan), 1120 Covington Road and Gran		
<b>Parcel No.</b>	167-22-012, 193-30-004		
<b>Township</b>	<b>Range</b>	<b>Section</b>	<b>Base</b>

---

**Proximity to:**

<b>Highways</b>	I-280, CA 85, CA 82, US 101
<b>Airports</b>	
<b>Railways</b>	Caltrain
<b>Waterways</b>	Permanente Creek Diversion Canal
<b>Schools</b>	Egan Junior HS
<b>Land Use</b>	Single Family District R-10, Single Family District R-20, Public and Community Facilities (PFC) to the east and west Covington

---

**Project Issues** Agricultural Land; Air Quality; Archaeologic-Historic; Biological Resources; Economics/Jobs; Flood Plain/Flooding; Forest Land/Fire Hazard; Geologic/Seismic; Minerals; Noise; Population/Housing Balance; Public Services; Recreation/Parks; Schools/Universities; Septic System; Sewer Capacity; Soil Erosion/Compaction/Grading; Solid Waste; Toxic/Hazardous; Traffic/Circulation; Vegetation; Water Quality; Water Supply; Wetland/Riparian; Growth Inducing; Landuse; Cumulative Effects; Other Issues

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**Reviewing Agencies** Resources Agency; Department of Fish and Wildlife, Region 3; Department of Parks and Recreation; Department of Water Resources; California Highway Patrol; Caltrans, District 4; Air Resources Board; Regional Water Quality Control Board, Region 2; Department of Toxic Substances Control; Native American Heritage Commission; Public Utilities Commission

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<b>Date Received</b> 03/06/2015	<b>Start of Review</b> 03/06/2015	<b>End of Review</b> 04/20/2015
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**Letter A. State of California Governor's Office of  
Planning and Research, State Clearinghouse  
and Planning Unit (Scott Morgan, Director,  
State Clearinghouse)**

- A-1 The commenter indicates that the public review period for the Draft EIR closed on April 20, 2015 and that the commenter forwarded comment letters it received from state agencies during the public review period to the District. The commenter also acknowledges that the District is in compliance with the State Clearinghouse review requirements for draft environmental documents pursuant to the CEQA. These comments are noted.

Comment letters enclosed with the State Clearinghouse comment letter included letters from the State of California Department of Transportation (labeled as Letter B) and the Department of Toxic Substances Control (DTSC) (labeled as Letter C). These two letters are responded to as appropriate on the following pages.

## DEPARTMENT OF TRANSPORTATION

DISTRICT 4

P.O. BOX 23660

OAKLAND, CA 94623-0660

PHONE (510) 286-5528

FAX (510) 286-5559

TTY 711

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April 16, 2015

SCLVAR058  
SCL/VAR/PM VAR  
SCH# 2014122051

Mr. Randy Kenyon  
Los Altos School District  
201 Covington Road  
Los Altos, CA 94024

Dear Mr. Kenyon:

**Provision of Facilities for Bullis Charter School – Draft Environmental Impact Report (DEIR)**

Thank you for continuing to include the California Department of Transportation (Caltrans) in the environmental review process for the project referenced above. Please refer to the letter, dated January 20, 2015, commenting on the Notice of Preparation. We have reviewed the DEIR and have the following comments to offer. Further comments may be forthcoming.

***Traffic Impact Analysis (TIA)***

The total student enrollment at Bullis Charter School (BCS) in the 2014-2015 school year is 709 students. As shown in Table 3-1 *Projected (2015-2016 through 2018-2019) BCS Student Enrollment*, enrollment for the 2018-2019 school year is projected to be 900 students for a net increase of 191 students over next four school years (see pp. 3-6 and 3-7; see also Appendix D Traffic Data). The proposed numbers of BCS faculty and staff would also incrementally increase under the project from a current total of 55 faculty and staff in the 2014-2015 school year to an estimated 70 BCS faculty and staff in the 2018-2019 school year for a net increase of 15 BCS faculty and staff. Caltrans expects the net generated trip will be greater than 100 vehicles per hour (vph) due to additional enrolled students and faculty under short term (2015-2019) Conditions. Also, Caltrans notes that BCS only proposes a short-term (2015-2019) plan. Caltrans recommends BCS propose a long-term plan (i.e., 2035) regarding the increase of students, faculty, and staff.

As such, please provide Caltrans with a trip generation table derived from increases in students, faculty, and staff over the next four years (2015 through 2019) as well as a long-term horizon. Caltrans also recommends the Traffic Impact Analysis address in the short and long-term horizons how the number of students, faculty, and staff will increase. In addition, please provide Caltrans with the turning movement traffic per study intersection under Existing, Short-Term (2015-2019), Project Only, 2035 Cumulative, 2035 Cumulative Plus Project Conditions.

B-1

B-2

B-3

B-4

B-5

### ***Lead Agency***

As the lead agency, the Los Altos School District (LASD) is responsible for all project mitigation, including any needed improvements to State highways. The project's fair share contribution, financing, scheduling, implementation responsibilities and lead agency monitoring should be fully discussed for all proposed mitigation measures. This information should also be presented in the Mitigation Monitoring and Reporting Plan of the environmental document.

B-6

### ***Integrated Transportation System***

We also commend and encourage the LASD to continue developing Travel Demand Management (TDM) policies to promote usage of nearby public transit lines and reduce vehicle trips on the State Highway System. These policies could include lower parking ratios, car-sharing programs, bicycle parking and showers for staff and students, and providing transit passes to staff and students, among others.

B-7

We encourage the LASD to include on-campus bicycle parking and a shuttle service in the plan. We also encourage the LASD to consider participating in the 511.org SchoolPool RideMatch service to promote walking, biking and carpooling to school. Doing so will reduce impacts on the state highways. Walking and bicycling routes to the proposed campus should be evaluated regarding their safety and directness. The LASD should work with the City of Los Altos to plan and fund projects or treatments, such as striping, signage or signals, recommended through this evaluation.

B-8

The DEIR states that some of the mitigation measures would reduce the extent of the significant impact, but because TDM programs typically establish trip-reducing goals and cannot ensure successful reduction of specific numbers, it could not be certain that a BCS TDM program would mitigate the impacts to a less-than-significant level (see Mitigation Measures 4.A-2b and 4.A-6b). However, Caltrans recommends that the TDM program include appropriate documentation for monitoring TDM measures, including annual reports to demonstrate the ongoing reduction of vehicle trips while continuing to survey the travel patterns of residents within the project area (see discussion below). Monitoring would provide information regarding the success of the program and specific program aspects which could be amended in order to increase the program's effectiveness, thereby further lessening project impacts.

B-9

### ***Mitigation Reporting Guidelines***

The California Environmental Quality Act (CEQA) requires the adoption of reporting or monitoring programs when public agencies include mitigation as a condition of project approval. Reporting or monitoring takes place after project approval to ensure implementation of the project in accordance with mitigation adopted during the CEQA review process.

B-10

Some of the information requirements detailed in the attached Guidelines for Submitting Transportation Information from a Reporting Program include the following:

- Name, address, and telephone number of the CEQA lead agency contact responsible for mitigation reporting;

Mr. Randy Kenyon/Los Altos School District  
April 16, 2015  
Page 3

- Type of mitigation, specific location, and implementation schedule for each transportation impact mitigation measure; and
- Certification section to be signed and dated by the lead agency certifying that the mitigation measures agreed upon and identified in the checklist have been implemented, and all other reporting requirements have been adhered to, in accordance with Public Resources Code Sections 21081.6 and 21081.7.

↑  
B-10  
cont.

Further information is available on the following website:  
[http://www.dot.ca.gov/hq/tpp/offices/ocp/igr\\_ceqa.html](http://www.dot.ca.gov/hq/tpp/offices/ocp/igr_ceqa.html).

### ***Traffic Impact Fees***

As requested in our previous letter, please identify traffic impact fees to be used for project mitigation. Development plans should require traffic impact fees based on projected traffic and/or based on associated cost estimates for public transportation facilities necessitated by development. Scheduling and costs associated with planned improvements on State right-of-way should be listed, in addition to identifying viable funding sources correlated to the pace of improvements for roadway improvements, if any.

↑  
B-11

Should you have any questions regarding this letter, please contact Brian Brandert of my staff at (510) 286-5505 or [brian.brandert@dot.ca.gov](mailto:brian.brandert@dot.ca.gov).

Sincerely,



PATRICIA MAURICE  
Acting District Branch Chief  
Local Development - Intergovernmental Review

c: Scott Morgan, State Clearinghouse

## **Letter B. State of California Department of Transportation, District 4 (Patricia Maurice, Acting District Branch Chief, Local Development – Intergovernmental Review)**

- B-1 The commenter accurately summarizes certain project description details (taken from Chapter 3 of the Draft EIR), and indicates that Caltrans expects the net generated project trip generation will be greater than 100 vehicles per hour. That expectation of net new project trip generation is accurate, as shown in Table 4.A-3 of the Draft EIR. As described on page 4.A-10 of the Draft EIR, with supporting documentation in Appendix D, the analysis scenarios for increases in project-generated vehicle trips for the Egan and Blach campuses assume the maximum number of BCS students at the Egan campus and Blach campus (i.e., 750 and 500, respectively) that is stipulated in the facilities agreement through the 2018-2019 school year, and associated project-generated vehicle trips associated with a relocation of the Stepping Stones Preschool from the Blach campus to the Covington campus. As Table 4.A-3 shows, the project would generate greater than 100 vehicle trips during the a.m. peak hour and school p.m. peak hour; including more than 100 vehicle trips during the a.m. peak hour and school p.m. peak hour at the Egan and Blach campuses individually.
- B-2 The commenter states that Caltrans recommends BCS propose a long-term plan (*i.e.*, 2035) regarding the increase in BCS students, faculty and staff. This comment does not address the adequacy of the Draft EIR and Caltrans' recommendation is noted. The EIR under consideration analyzes the currently proposed project addressing BCS facilities over the next four school years through 2018-2019. The project is atypical in that the District and BCS have historically addressed BCS school facilities issues yearly for each school year pursuant to Proposition 39 (Education Code Section 47614). As such, the project analyzed herein is the first long-term BCS facilities plan that the District and BCS has ever reached. The District intends to continue multi-year BCS facilities planning efforts going forward for school years beyond 2018-2019, but a long-term BCS facilities plan extending to 2035 is not pertinent to the adequacy of the Draft EIR and not viable given the infeasibility of projecting BCS's growth that far into the future.
- B-3 The commenter requests a trip generation table derived from increases in students, faculty and staff over the next four years (2015 through 2019) as well as a long-term horizon. Please see responses to Comment B-1, above, regarding project trip generation presented in the Draft EIR for increases in BCS students, faculty and staff through the 2018-2019 school year. Please see response to Comment B-2, above, regarding the horizon year for the proposed project.
- B-4 The commenter recommends the Traffic Impact Analysis address the short- and long-term horizons for how the numbers of students, faculty and staff will increase. Please see responses to Comment B-1, above, regarding the analysis scenarios addressed in the Draft EIR for the Egan, Blach and Covington campus through the 2018-2019 school year.

See response to Comment B-2, above, regarding the horizon year for the proposed project. See Impact 4.A-6 (page 4.A-17) of the Draft EIR for the analysis of project impacts in the long-term (cumulative 2020), i.e., how the project would contribute to cumulative increases in traffic at local intersections in the project area.

- B-5 The commenter requests turning movement traffic volumes per study intersection for Existing, Short-Term (2015-2019), Project Only, 2035 Cumulative, and 2035 Cumulative Plus Project Conditions. Turning movement traffic volumes for Existing, Existing Plus Project, Cumulative (2020) and Cumulative (2020) Plus Project are depicted on Figures 4.A-1 through 4.A-4 of the Draft EIR. The cumulative year scenario (2020) was chosen to be consistent with the future horizon year in the City of Los Altos General Plan. See response to Comment B-2, above, regarding the horizon year for the proposed project.
- B-6 The commenter notes that the District, as Lead Agency is responsible for project mitigation, including for State highways; and that appropriate contribution financing, scheduling, implementation responsibility and monitoring should be disclosed in mitigation measures and presented in the Mitigation Monitoring and Reporting Plan (MMRP). The Draft EIR identifies no required mitigation involving State Highways. The comment about the responsibilities of the Los Altos School District, as the Lead Agency, is acknowledged, and the District has prepared, and will adopt, a MMRP that complies with all CEQA requirements.
- B-7 The commenter commends and encourages the District to continue developing Travel Demand Management policies. Mitigation Measure 4.A-2b, page 4.A-13 of the Draft EIR, identifies a Transportation Demand Management (TDM) program that the Bullis Charter School (BCS) would implement to reduce the number of vehicle trips associated with transporting BCS students and faculty to the Blach campus, which would lessen the significant impact to level of service at the all-way stop-controlled intersection of Miramonte Avenue / Covington Road. Of note, vehicle trip reduction associated with a TDM program for BCS also would lessen impacts from BCS vehicle trips at other locations as well (e.g., other intersections and in the drop-off/pickup areas).

The commenter also encourages the District to consider on-campus bicycle parking, a shuttle service and participation in the 511.org SchoolPool RideMatch service as part of the TDM program. There are currently on-campus bicycle parking spaces,<sup>2</sup> and the District is working collaboratively with the City of Los Altos on developing updated “suggested routes to school” (for bicyclists/walkers) to encourage more students to bike/walk to school. The District also is investigating carpooling and busing options. It should be noted that the TDM elements presented in the Draft EIR as part of the above-cited Mitigation Measure 4.A-2b were not meant to be exhaustive, as evidenced by the

<sup>2</sup> All of District schools have bike parking facilities, including at the Egan, Blach and Covington campuses. Generally, the bike parking facilities are enclosed spaces with stalls for which bikes can be secured. The Blach campus has a bike parking area at the front and rear of the school. The Egan campus has a bike parking area at the front of the school. The Covington campus has a bike parking area on the Rosita Park side of the campus, and the District will be adding a second bike parking area on the opposite side of the campus in 2016.

phrase “but is not necessarily limited to”. The following are added to Mitigation Measure 4.A-2b as additional suggested elements of the required TDM program:

- Participation in the 511.org SchoolPool RideMatch service,
- Carpooling, and
- Shuttle service

- B-8 The commenter indicates that walking and bicycle routes to the proposed campus should be evaluated regarding their safety and effectiveness. The existing bicycle and pedestrian facilities serving the project campuses are described on pages 4.A-1 through 4.A-3 of the Draft EIR. As stated, there are bicycle lanes (designated for bicycle use by striping, pavement legends, and signs) on the roadways that provide access to the project campuses, and sidewalks are generally provided on all roadways in proximity of the project campuses. The area signalized intersections include pedestrian signals and yellow-striped crosswalks, and there also are striped crosswalks across the entrance and exit driveways at the school campuses. In addition, during the morning drop-off and afternoon pick-up periods, there are crossing guards at intersections closest to the project campuses, and at the campuses themselves. The above-described facilities provide safe and direct bicycling and walking routes to and from the project campuses.

The commenter adds that the District should work with the City of Los Altos to plan and fund projects or treatments for walking and bicycle routes to the campuses. See response to Comment B-7 regarding the District’s current efforts with the City of Los Altos to develop updated “suggested routes to school” (for bicyclists/walkers) to encourage more students to bike/walk to school.

- B-9/10 The commenter indicates Caltrans recommends that the TDM program include appropriate documentation for monitoring TDM measures, including annual reports to demonstrate the ongoing reduction of vehicle trips while continuing to survey the travel patterns of residents within the project area.

The commenter also notes certain requirements for Mitigation Monitoring and Reporting Programs and indicates some of the information requirements detailed in its *Guidelines for Submitting Transportation Information from a Reporting Program*. The LASD will prepare a Mitigation Monitoring and Reporting Program for the proposed project, as required by CEQA, with documentation of the success of the TDM measures, which will facilitate amendments to the TDM Program as appropriate.

- B-11 The commenter indicates development plans should require traffic impact fees based on traffic and/or based on associated cost estimates for public transportation facilities necessitated by development, with specific reference to costs associated with planned improvements on State right-of-way. The comment about traffic impact fees associated with State facilities, when applicable, is noted, but such fees are not applicable to the proposed project because the project would not create the need for any improvements on State right-of-way.

**From:** Duke, Bud@DTSC [<mailto:Bud.Duke@dtsc.ca.gov>]  
**Sent:** Monday, April 20, 2015 4:33 PM  
**To:** Randy Kenyon  
**Cc:** 'state.clearinghouse@opr.ca.gov' ([state.clearinghouse@opr.ca.gov](mailto:state.clearinghouse@opr.ca.gov)); Michael O'Neill;  
[jgordon@cde.ca.gov](mailto:jgordon@cde.ca.gov); Ritter, Nancy@DTSC  
**Subject:** Los Altos School District - Provision of Facilities for Bullis Charter School, Draft EIR

Good afternoon, Mr. Kenyon.

DTSC has reviewed the March 2015 Draft EIR (Draft EIR) for the above noted project located at the Los Altos School District's (District) Blach and Egan Campuses located in the city of Los Altos in Santa Clara County (SCH#20141222051). Based upon its review of the Draft EIR, DTSC does not believe the document properly addresses the issues presented in DTSC's comment letter on the EIR Notice of Preparation (see attached) issued to the District on January 27, 2015. DTSC reaffirms the recommendations presented in its January 2015 letter.

C-1

If you have any questions, feel free to contact me.

Bud

Harold (Bud) Duke, P.G.  
Northern California Schools Evaluation Unit  
Brownfields and Environmental Restoration Program  
Department of Toxic Substances Control  
8800 Cal Center Drive  
Sacramento, CA 95826  
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Matthew Rodriguez  
Secretary for  
Environmental Protection



## Department of Toxic Substances Control

Barbara Lee  
Director  
8800 Cal Center Drive  
Sacramento, California 95826-3200



Edmund G. Brown Jr.  
Governor

January 27, 2015

Mr. Randy Kenyon  
Assistant Superintendent, Business Services  
Los Altos School District  
201 Covington Road  
Los Altos, CA 94024

clear  
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STATE CLEARING HOUSE

### REVIEW OF NOTICE OF PREPARATION OF AN ENVIRONMENTAL IMPACT REPORT FOR BULLIS CHARTER SCHOOL, LOS ALTOS, SANTA CLARA COUNTY (SCH #2014122051)

Dear Mr. Kenyon:

The Department of Toxic Substances Control (DTSC) has reviewed the Notice of Preparation (NOP) for an Environmental Impact Report (EIR) for the Bullis Charter School in the City of Los Altos, Santa Clara County. The due date to submit comments is January 30, 2015.

The Los Altos School District (LASD) is preparing an EIR for the LASD's Provision of Facilities for Bullis Charter School (for school years 2015-2016 through 2018-2019) (Project), at the existing Ardis G. Egan Junior High School campus, located at 100 West Portola Avenue, and the Georgina P. Blach Intermediate School, located at 1120 Covington Road in Los Altos. As a consequence of Bullis Charter School's increased facilities at the Blach campus, the Stepping Stones Preschool would be relocated from the Blach Campus to the Covington Elementary School Campus at 210 Covington Road in Los Altos.

Based on a review of the NOP, DTSC would like to provide the following comments:

1. If LASD plans to use State funds for the Project, then LASD shall comply with the requirements of California Education Code, § 17210, 17213.1 and § 17213.2, unless otherwise specifically exempted under § 17268. If LASD is not using State funds for the Project, or is otherwise specifically exempted under § 17268, DTSC recommends LASD continue to investigate and clean up the Project under the oversight of Santa Clara County and in concurrence with all applicable DTSC guidance documents.

C-2

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A local education agency may also voluntarily request the California Department of Education (CDE) site/plan approval for locally funded site acquisitions and new construction projects. In these cases CDE will require DTSC review and approval prior to its final approval, except when exempt under §17268.

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C-2  
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2. Because the Project is school site related, DTSC recommends that an environmental review, such as a Phase I Environmental Site Assessment and/or Preliminary Endangerment Assessment (PEA), be conducted to determine whether there has been or may have been a release or threatened release of a hazardous material, or whether a naturally occurring hazardous material is present based on reasonably available information about the property and the area in its vicinity. Such an environmental review should generally be conducted as part of the California Environmental Quality Act (CEQA) process. Also, such an environmental review is recommended for compliance with the requirements of California Education Code, section 17268(a) or 17213(a). If LASD elects to proceed to conduct an environmental assessment for the Project under DTSC oversight, it should enter into an Environmental Oversight Agreement with DTSC to oversee the preparation of the environmental assessment.

C-3

3. The presence of existing, older or former structures may result in potential environmental concerns due to lead from lead-based paint and/or organochlorine pesticides from termiticide applications and polychlorinated biphenyls (PCBs) from electrical transformers, light ballast or window caulking or glazing. DTSC recommends that these environmental concerns be investigated and possibly mitigated, in accordance with DTSC's *"Interim Guidance, Evaluation of School Sites with Potential Soil Contamination as a Result of Lead from Lead-Based Paint, Organochlorine Pesticides from Termiticides, and Polychlorinated Biphenyls from Electrical Transformers, dated June 9, 2006"*, and in accordance with the recommendations provided in the United States Environmental Protection Agency's website *"PCBs in Caulk in Older Buildings"* (<http://www.epa.gov/pcbsincaulk/index.htm>).

C-4

4. If the Project properties were previously used for agricultural purposes, pesticides (such as DDT, DDE, and toxaphene) and fertilizers (usually containing heavy metals) commonly used as part of agricultural operations are likely to be present. These agricultural chemicals are persistent and bio-accumulative toxic substances. DTSC recommends that these environmental concerns be investigated and possibly mitigated, in accordance with the *"Interim Guidance for Sampling Agricultural Soils (Third Revision), dated August 2008"*. This guidance should be followed to sample agricultural properties where development is anticipated.

C-5

5. The Project area appears to be located within 10-miles of a geological unit potentially containing naturally occurring asbestos (NOA). Pursuant to DTSC's *"Interim Guidance – Naturally Occurring Asbestos at School Sites, Revised September 24, 2004"*, further action should be considered and conducted to

C-6  
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determine whether a naturally occurring hazardous material (i.e., NOA) is present, based on reasonably available information about the properties and the areas in their vicinity.

↑ C-6  
cont.

6. If a response action is required based on the results of the above investigations, and/or other information, the EIR will require an analysis of the potential public health and environmental impacts associated with any proposed response action, pursuant to requirements of the CEQA (Pub. Resources Code, Div. 13, §21000 et seq.), and its' implementing Guidelines (CCR, Title 14, §15000 et seq.), prior to approval or adoption of the EIR for the project. A discussion of the mitigation and/or removal actions, if necessary, as well as associated cumulative impacts to the Project properties and the surrounding environment, should be included in the EIR. If sufficient information to discuss the proposed mitigation and/or removal actions, as well as their associated impacts to the Project properties and the surrounding environment, are not available for inclusion in the EIR, then an Addendum or Supplement to the EIR may be required.

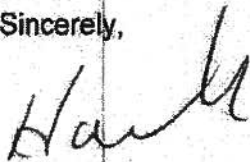
C-7

DTSC is also administering the Cleanup Loans and Environmental Assistance to Neighborhoods (CLEAN) Program which provides low-interest loans to investigate and cleanup hazardous materials at properties where redevelopment is likely to have a beneficial impact to a community. These loans are available to developers, businesses, schools, and local governments.

C-8

For additional information on DTSC's Schools process or CLEAN Program, please visit DTSC's web site at [www.dtsc.ca.gov](http://www.dtsc.ca.gov). If you would like to discuss this matter further, please contact me at (916) 255-3695, or via e-mail at [bud.duke@dtsc.ca.gov](mailto:bud.duke@dtsc.ca.gov).

Sincerely,



Harold (Bud) Duke, PG  
Senior Engineering Geologist  
Northern California Schools  
Brownfields and Environmental Restoration Program

cc: (see next page)

## **Letter C. Department of Toxic Substances Control (Harold Duke, PG, Senior Engineering Geologist, Northern California Schools, Brownfields and Environmental Restoration)**

- C-1 The commenter requests the issues from DTSC's January 27, 2015 letter in response to the District's Notice of Preparation be responded to in the Final EIR, and attached that letter to the comment letter on the Draft EIR. The commenter is referred to the District's responses to the issues raised in that comment letter below.
- C-2 The commenter recommends that if the District plans to use State funds for the proposed project, then the District shall comply with the requirements of California Education Code (CEC) Sections 17210, 17213.1, and 17213.2, unless otherwise specifically exempted under Section 17268. The District is not using State funds for any aspect of the proposed project. Rather, the District is using bond funds from a November 2014 voter-authorized \$150 million bond measure. Consequently, CEC Sections 17213.1, and 17213.2 are not applicable to the proposed project.

The commenter indicates that if the District is not using State funds, then DTSC recommends the District continue to investigate and clean up the project under the oversight of Santa Clara County and in concurrence with all applicable guidance documents. CEC Section 17268 indicates that if State funds are not used for the proposed project, then the District may not approve a project for the construction of a new school building unless the project and Lead Agency comply with the requirements specified in CEC Section 17213(a) for a property to be built on a school site. According to Section 17213(a), the district must ensure that the following conditions do not occur on the site to be developed:

- (1) The site of a current or former hazardous waste disposal site or solid waste disposal site, unless if the site was a former solid waste disposal site, the governing board of the school district concludes that the wastes have been removed.
- (2) A hazardous substance release site identified by the Department of Toxic Substances Control in a current list adopted pursuant to Section 25356 of the Health and Safety Code for removal or remedial action pursuant to Chapter 6.8 (commencing with Section 25300) of Division 20 of the Health and Safety Code.
- (3) A site that contains one or more pipelines, situated underground or aboveground, that carries hazardous substances, extremely hazardous substances, or hazardous wastes, unless the pipeline is a natural gas line that is used only to supply natural gas to that school or neighborhood.

For item (1), according to a search of the database maintained by the California Environmental Protection Agency for solid waste disposal sites with waste constituent

above hazardous waste levels outside the waste management unit, the project sites are not included.<sup>3</sup>

Regarding item (2), as stated in the Draft EIR Initial Study, Hazards and Hazardous Materials section, on page 39, the environmental databases maintained by DTSC and the State Water Resources Control Board were reviewed for this analysis. The databases reviewed not identify the project sites or any adjacent properties as sites of known releases of hazardous materials.

Finally, regarding item (3), a search of the Department of Transportation (DOT) Pipeline and Hazardous Materials Safety Administration (PHMSA) National Pipeline Mapping System<sup>4</sup> confirms that there are no gas transmission or hazardous liquid pipelines, liquefied natural gas plants, or breakout tanks under the DOT PHMSA jurisdiction that are on or in the vicinity of the school campuses.

Consequently, none of the conditions identified in CEC Section 17213(a) occur on the project sites to be developed.

The commenter also indicates that local education agencies may voluntarily request the California Department of Education (CDE) for site plan/approval for locally funded site acquisitions and new construction projects; and that in such instances, CDE will require DTSC review and approval prior to its final approval. The comment is noted regarding voluntary requests for CDE site plan/approval for the project. Chapter 3 in the Draft EIR identifies required agency approvals for the proposed project. Also, the District is not constructing a new school site on a new location, but is adding modular buildings to three existing school sites. In consideration of the less than significant impacts identified by the Draft EIR, and based on a review of site conditions, available databases, and characteristics of the project, the need for CDE site plan/approval is not deemed necessary by the District.

- C-3 The commenter indicates that DTSC recommends an environmental review, such as a Phase 1 Environmental Site Assessment and/or Preliminary Endangerment Assessment (PEA) to determine whether there has been or may have been a release or threatened release of a hazardous material, or which a naturally occurring hazardous material is present based on reasonably available information about the property and the area in its vicinity.

As part of the CEQA analysis for this project, potential hazardous materials impacts were evaluated in the Draft EIR Initial Study, Hazards and Hazardous Materials section. As part of that analysis, a review of available databases from the DTSC (EnviroStor) and the State Water Resources Control Board (Geotracker) were reviewed to determine if the project sites contained known releases of hazardous materials, and if sites located within

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<sup>3</sup> CalEPA, <http://www.calepa.ca.gov/SiteCleanup/CorteseList/CurrentList.pdf>, accessed May 4, 2015.

<sup>4</sup> U.S. Department of Transportation, Pipeline and Hazardous Materials Safety Administration, National Pipeline Mapping System, <https://www.npms.phmsa.dot.gov/PublicViewer/composite.jsf>, accessed May 4, 2015.

site vicinities indicated a potential for migration of contaminants to the project sites; none were identified.

With respect to the presence of potentially naturally occurring hazardous materials, please see response to Comment C-6, below. As discussed in that response, there are no outcroppings of rocks containing naturally occurring asbestos on the project sites, nor anywhere in project area. Furthermore, as discussed in response to Comment C-6, the project involves very minor earthwork activities that would only extend deep enough for some utilities and would not encounter any bedrock materials.

Therefore, in consideration of the analysis provided in the Draft EIR, which make up key elements of a Phase I Environmental Site Assessment, combined with the information identified in response to Comment C-2, above, and the project characteristics, no further environmental review is warranted.

- C-4 The commenter indicates that the presence of existing, older or former structures may result in potential environmental concerns due to lead-based paint, and/or organochlorine pesticides from termiticide applications and polychlorinated biphenyls (PCBs) from electrical transformers, light ballast or window caulking and glazing. The DTSC recommends that these environmental concerns be investigated and possibly mitigated.

There are no activities proposed as part of the project that would involve encountering any of the issues or substances raised by the commenter. For instance, there is no building demolition or interior remodeling proposed at any of the existing buildings on the campuses. Any potential removal of existing portable buildings from the Blach campus would not involve any disassembly of the buildings on-site; rather, the entire buildings would be loaded onto trailers and hauled off-site. Consequently, the project would not have effects related to the issues raised by the commenter and therefore, no mitigation is required for this topic.

- C-5 The project sites are all currently built schools that have already been subject to prior grading and earthwork activities for the original development of the school campuses. Therefore, prior construction activities have likely already disturbed and potentially removed any surface soils that may have been adversely affected by agricultural activities from decades ago. The proposed project only involves a very minor amount of earthwork activities in previously developed/disturbed areas only. As a result, it is reasonable to consider that the previous grading associated with original construction has disturbed the surface soils to a degree that the minimal earthwork activities of the project would have a less than significant impact from any pesticides, if even present at all, associated with historical agricultural land uses.

- C-6 The comment concerns the potential for encountering naturally occurring asbestos during project construction and the potential for exposing workers or the public to adverse effects. According to a map prepared by the California Department of Conservation of ultramafic rocks in California, which are the most likely to contain naturally occurring

asbestos fibers,<sup>5</sup> the closest outcroppings of these rocks are located within San Mateo County, approximately six miles from the Egan campus and approximately ten miles from the Covington and Blach campuses. In addition, as discussed above, the project involves very minor earthwork activities that would only extend deep enough for the extension of existing utilities and would not encounter bedrock as all the sites are underlain by alluvial materials. Therefore, it is unlikely that construction activities would disturb any naturally occurring asbestos during the limited amount of earthwork disturbance that would occur.

- C-7 The comment suggests that any needed response action should be coordinated with DTSC. As a result of the findings of the Draft EIR, the database searches, and the data described above in response to Comments C-2 and C-6, there is no indication that there are hazardous materials present in subsurface materials and thus no response action would be necessary.
- C-8 The commenter indicates DTSC is also administering the Cleanup Loans and Environmental Assistance to Neighborhoods (CLEAN) Program. The comment is noted.

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<sup>5</sup> California Department of Conservation, *A General Location Guide for Ultramafic Rocks in California – Areas More Likely to Contain Naturally Occurring Asbestos*, [ftp://ftp.consrv.ca.gov/pub/dmg/pubs/ofr/ofr\\_2000-019.pdf](ftp://ftp.consrv.ca.gov/pub/dmg/pubs/ofr/ofr_2000-019.pdf).



Community Development Department  
One North San Antonio Road  
Los Altos, California 94022

April 20, 2015

Mr. Randy Kenyon  
Assistant Superintendent, Business Services  
Los Altos School District  
201 Covington Road  
Los Altos, CA 94022

**SUBJECT: BULLIS CHARTER SCHOOL DRAFT ENVIRONMENTAL IMPACT REPORT (2015-2016 TO 2018-2019 SCHOOL YEARS)**

Dear Mr. Kenyon:

This letter is in response to the draft Environmental Impact Report (EIR) for the subject Bullis Charter School project. Generally, the project increases Bullis Charter School (BCS) enrollment by 191 students and proposes changes to the Egan, Blach and Covington school campuses. The project involves the following changes for each campus: six (6) new portables for BCS and a relocated ball field at Egan; nine (9) new portables for BCS at Blach; and four (4) new portables and a new playground for a relocated Stepping Stones Preschool from Blach, and a relocated playground for Los Altos Parent Preschool at Covington.

After reviewing the draft Environmental Impact Report and the Initial Study, the City of Los Altos has the following concerns and comments:

1. Stepping Stones Preschool: this is a private preschool and infant care licensed for up to 80 children 6 weeks old to 5 years old. This a nonconforming private use at the public Blach campus site that in its relocation to the Covington campus:
  - a. Needs use permit to exist at Blach campus and to relocate to Covington campus. Both sites are within the R1-10/PCF zoning district (see Section 14.60.030 of the Los Altos Municipal Code);
  - b. Does not meet the required 25-foot side yard setback from the southerly property line of the Covington campus;
  - c. Does not provide an appropriate buffering screening next to the structures or the playground adjacent to single-family properties to the south;
  - d. Relies on agreement for parents and employees to use the City's Rosita Park parking lot that is not in effect;

D-1

D-2

D-3

- e. Has a potential noise impact from the air conditioning units to the single-family properties to the south; and D-4
  - f. Has a potential traffic and circulation impacts from using Rosita Avenue as drop-off area. D-5
- 2. Los Altos Parent Preschool relocated playground at the Covington campus:
  - a. Does not meet the required 25-foot setback from the southerly property line; and D-6
  - b. Does not have an appropriate buffer screening for relocated playground next to single-family properties. D-7
- 3. Egan campus in general:
  - a. The relocated baseball field has impacts that should be addressed:
    - i. Noise impacts to adjacent single-family properties on May Lane to the south D-8
    - ii. The need for buffer screening along the southerly property line; D-9
  - b. The new structures and added capacity:
    - i. Needs expanded parking for teachers; D-10
    - ii. Needs expanded drop-off area for vehicles. D-10
  - c. Traffic counts:
    - i. The traffic counts were taken in late December 2012 and early January 2013. We have concerns that the traffic counts taken do not reflect present traffic conditions, and by extension, the current LOS experienced at the intersection of San Antonio Road at W. Portola Ave does not reflect the Existing plus Project modeled LOS. D-11
- 4. Blach campus in general:
  - a. The new structures and added capacity:
    - i. Needs expanded parking for teachers; D-12
    - ii. Needs expanded drop-off area for vehicles. D-12
- 5. Mitigation Measures:
  - a. Traffic 4.A-2a (for Blach):
    - i. Relies on the City installing a signal at Covington and Miramonte to be Less than Significant, or else the impact is Significant Unavoidable. The LASD should pay for the signal improvement to mitigate the measures or contribute to future signal improvements if the City is not ready for implementation. The LASD should conduct outreach to the surrounding neighborhood regarding the required mitigation. D-13
  - b. Traffic 4.A-2b (for Blach):
    - i. Implement TDM Program to reduce trips to school. How will BCS enforce this? As stated in the draft EIR, there is no certainty this will be successful. D-14

- c. Traffic 4.A-2c (for Blach):
    - i. Asks BCS parents to use Grant Road for the AM peak hour. How will BCS enforce this? As stated in the draft EIR, there is no certainty this will be successful. D-15
  - d. Traffic 4.A-3a (for Egan):
    - i. Maintains crossing guards at BCS driveways, however, the project should discuss minimizing student conflicts with the driveways. D-16
  - e. Traffic 4.A-3b (for Egan):
    - i. Requires three volunteers/staff to assist in unloading/loading of students from vehicles. How will BCS enforce this? As stated in the draft EIR, there is no certainty this will be successful. D-17
  - f. Traffic 4.A-3c (for Egan):
    - i. Encourages parents to arrive at least 15 minutes prior to the beginning of instruction, to reduce congestion. Encourages parents to arrive no earlier than five minutes to the end of classroom instruction to reduce vehicle queues. How will BCS enforce this? As stated in the draft EIR, there is no certainty this will be successful. D-18
  - g. Noise NOI-1:
    - i. Incorrect construction hours for Saturday are stated, should be between 9 am to 3 pm. D-19
  - h. Noise NOI-2:
    - i. Should address City's HVAC noise limit of 50 dBA at the property line D-20
- 6. General Traffic Questions:
  - a. Are the mitigation measures for each school stand-alone? Or do they have to be combined? D-21
  - b. Aside, from Traffic 4.A-2a, if the other mitigation measures are implemented and do not improve the impact, what will LASD do to mitigate? D-22
  - c. There are a significant number of Egan students that walk and bike that must cross the BCS driveways. Although maintaining the crossing guards will help address potential vehicle-bicycle and vehicle-pedestrian conflict, would LASD consider further reducing that conflict by providing an alternative access point at the gate on San Antonio Road to allow for Egan students an unimpeded way to school? Students coming south of the site can potentially access Egan here. To make this access point more attractive, improvements can be made such as a pathway and fencing to separate the path from BCS grounds. D-23
  - d. The analysis and proposed improvements do not take into consideration the queueing and safety concerns resulting from parents who park on the north side of W. Portola and cross mid-block between vehicles. These movements in unmarked locations add to the D-24

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queueing effect, and often parents and students dash in front of vehicles to cross the street. Will there be a proposal to help mitigate this?

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7. Alternatives:

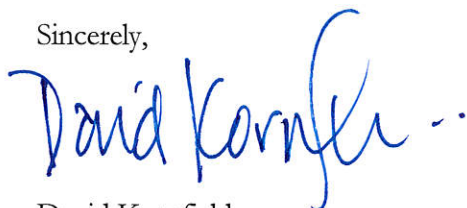
- a. The analysis of alternatives should clarify its reasoning for selecting appropriate alternatives. For example, it is not clear why locating BCS to other LASD properties is infeasible, not merely too costly;
- b. Alternative No. 2 seems infeasible and relies on an unenforceable mitigation to constrain the traffic routes to the Blach campus and should not be included.

| D-25

| D-26

Thank you for the opportunity to provide these concerns and comments. Please feel free to call me at (650) 947-2632 or at [dkornfield@losaltosca.gov](mailto:dkornfield@losaltosca.gov) if there are any questions.

Sincerely,



David Kornfield  
Planning Services Manager

Cc: City Manager  
Community Development Director  
Transportation Services Manager

## Letter D. City of Los Altos (David Kornfield, Planning Services Manager)

- D-1 The commenter indicates that Stepping Stones Preschool needs a use permit to exist at Blach campus and to relocate to the Covington campus. The commenter also indicates that the proposed relocated Stepping Stones Preschool would not meet the required 25-foot side yard setback from the southerly property line of the Covington campus.

Los Altos Municipal Code Section 14.60.020(B)(1) and (2) and Section 14.60.030(A)(1) clearly permit private child care facilities and school/educational uses to use space in a public school facility as of right in the applicable R1-10/PCF zoning district. Stepping Stone's proposed joint use agreement for use of District facilities at the Covington campus to operate a preschool and early education development program clearly qualifies as an education-related use.

Nonetheless, the proposed relocation of Stepping Stones from Blach to Covington, and Stepping Stones' planned use of District facilities at Covington for education-related uses is exempt from local zoning regulations pursuant to the California Education Code's joint use statute (see Education Code Section 17533). In response to recent discussions between counsel for the District and the City of Los Altos City Attorney, the City Attorney sent written confirmation to the District that the City concurred with the District's position that the proposed relocation of the Stepping Stones Preschool from the District's Blach campus to its Covington campus encompasses an education-related use that is exempt from City zoning regulations under Education Code Section 17533.

Moreover, on May 26, 2015, the District's Board of Trustees duly adopted Resolution No. 14/15-18 exempting the entirety of the Project and District campuses involved therein from any applicable City of Los Altos zoning regulation (including without limitation the City's Municipal Code, the City's General Plan, and related ordinances and regulations which otherwise would be applicable to the project and the school sites) pursuant to its rights under Government Code Section 53094 to elect to render City zoning ordinances inapplicable to the project and project sites when used for educational purposes. Accordingly, no use permit is required and setback provisions in the City's zoning code are inapplicable to the project. Even still, as discussed in the responses to Comments D-2 and D-4, the District properly analyzed the potential impacts of the proposed relocation of Stepping Stones, including potential aesthetic (see response to Comment D-2) and noise impacts (see response to Comments D-4 and D-20), and developed mitigation measures to reduce potentially significant adverse impacts to levels of insignificance.

- D-2 The commenter indicates that the proposed relocated Stepping Stones Preschool does not provide an appropriate buffering screening next to the structures or the playground adjacent to the single-family properties to the south. The District interprets the commenter's concern about "buffer screening" to relate to visual screening. The Draft

EIR Initial Study Aesthetics section analyzed potential aesthetic impacts associated with the project improvements at the Covington campus, including the proposed relocated Stepping Stones Preschool, including structures and playground, and determined those impacts to be less than significant. That analysis noted that the existing vegetation and fencing that exists between the proposed Stepping Stones portables and the adjacent single family properties would continue to screen views and remain under the project. Consequently, no mitigation is required to address aesthetic effects of the Stepping Stones Preschool relocation.

- D-3 The commenter indicates that the proposed relocated Stepping Stones Preschool would rely on an agreement for parents and employees to use the City's Rosita Park parking lot that is not in effect. Pursuant to an informal agreement between the District and the City of Los Altos, employees and parents of preschool children attending Stepping Stones can use the Rosita Park parking lot should additional parking outside the District's Covington campus be needed. The District is willing to formalize the agreement in writing with the City, as needed.
- D-4 The commenter indicates that the proposed relocated Stepping Stones Preschool has a potential noise impact from the air conditioning units to the single-family properties to the south. As discussed in the Draft EIR Initial Study, Noise section, page 54, air conditioning and heating equipment included with the new portables at the campuses, including at Covington campus, would need to comply with Section 6.16.070(B)(12) of the City's noise ordinance which establishes a residential property line noise limit of 50 dBA. Compliance with this ordinance would ensure the project's effect from portable equipment noise at neighboring properties would be less than significant. Please also see response to Comment D-20 below, regarding a refinement made to Draft EIR Mitigation Measure NOI-2 to formalize compliance with this ordinance.
- D-5 The commenter indicates that the proposed relocated Stepping Stones Preschool has potential traffic and circulation impacts from using Rosita Avenue as a drop-off area. As shown in Table 4.A-3 (page 4.A-11 of the Draft EIR), the Stepping Stones Preschool generates relatively few peak-hour vehicle trips. Additionally, data for the Preschool indicates that there are no substantial "surges" (*i.e.*, no high peaks of arriving vehicles) during drop-off / pickup activity over the peak hours. Finally, as stated in Footnote 4 on page 4.A-14 of the Draft EIR, Stepping Stones traffic would not comingle with LASD student traffic arriving via Covington Road. For those reasons, the proposed relocated Stepping Stones Preschool would have less than significant traffic and circulation impacts from using Rosita Avenue as a drop-off area.
- D-6 The commenter indicates that the proposed Los Altos Preschool relocated playground does not meet the required 25-foot setback from the southerly property line.

See response to Comment D-1 above concerning the Project's exemption from City zoning regulations, including the Stepping Stones relocation component, which is what triggers the need to relocate the Los Altos Parent Preschool playground.

- D-7 The commenter indicates that the proposed relocation of the Los Altos Parents Preschool playground does not have an appropriate buffer screening between the relocated playground and adjacent single-family properties. The District interprets the commenter's concern about "buffer screening" to relate to visual screening. The Draft EIR Initial Study Aesthetics section considered potential aesthetic impacts associated with the project improvements at the Covington campus, including the proposed Los Altos Preschool playground relocation, and determined those impacts to be less than significant. That analysis noted that the existing vegetation and fencing that exists between the proposed Los Altos Preschool relocated playground and the adjacent single family properties would continue to screen views and remain under the project. Consequently, no mitigation is required to address aesthetic effects of the Los Altos Preschool playground relocation.
- D-8 The commenter indicates the relocated ballfield at the Egan campus should be addressed as it relates to noise impacts to adjacent single-family properties on May Lane to the south. It should be noted the existing ballfield is an existing recreational use at the Egan campus, and the ballfield is not proposed to be relocated on or within the project site, but is merely proposed to be re-oriented (rotated counter clockwise 90 degrees), along with proposed removal of existing paving and storage containers currently located between the existing soccer field and ballfield. It should also be noted that the proposed orientation of the ballfield (with field oriented so homeplate/backstop are located closest to neighboring residential properties) would be similar to other existing ballfields at certain other District schools, including Blach, Almond, Oak and Santa Rita campuses. Finally there is no proposal to increase the frequency of use of the ballfield by the District under the project or use the ballfield for different recreational uses than what it is currently for. It should be noted that the District personally notified the residents of the adjacent single-family properties on May Lane of the proposed ballfield reconfiguration, and no concerns were raised by the residents. When considering that the ballfield is an existing allowed use for the District, and the other factors discussed above, no significant noise impacts from the proposed ballfield reconfiguration are identified.
- D-9 The commenter indicates the buffer screening for the relocated ballfield along the southern property line at the Egan campus needs to be addressed. As discussed in response to Comment D-8, above, the ballfield is not proposed to be relocated on or within the project site, but is merely proposed to be re-oriented, along with proposed removal of existing paving and house storage containers currently located between the existing soccer field and ballfield.

The District interprets the commenter's concern about "buffer screening" to relate to visual screening. The Draft EIR Initial Study Aesthetics section considered potential aesthetic impacts associated with the project improvements at the Egan campus, including the reconfigured ballfield, and determined those impacts to be less than significant. That analysis noted that the existing vegetation and fencing that exists along the southern property line would continue to screen views and remain under the project. Consequently, no mitigation is required to address aesthetic effects.

- D-10 The commenter states an opinion that the new structures at the Egan campus would necessitate expanded parking for teachers and expanded drop-off area for vehicles. There are no plans to expand the parking and drop-off areas. District staff indicates that the current parking supply for teachers is adequate, and would remain so for the additional BCS teachers anticipated through the 2018-2019 school year. The drop-off conditions are an important issue, and the District is in the process of studying additional traffic-management measures in conjunction with the City of Los Altos' traffic engineer to improve conditions for pedestrians and bicyclists (e.g., widen the West Portola Avenue sidewalk, provide access from San Antonio Road south of Jordan Avenue [and possibly from the Belden Drive cul-de-sac], and prohibition of parking in a new on-street passenger loading zone on the south (school) side of West Portola Avenue during the drop-off and pickup periods).
- D-11 The commenter indicates a concern that the traffic counts do not reflect traffic conditions, and by extension, the LOS experienced at the intersection of San Antonio Road and West Portola Avenue does not reflect Existing Plus Project conditions. As stated on page 4.A-5 of the Draft EIR, the traffic counts at the intersection of San Antonio Road and West Portola Avenue were conducted in November 2013. The use of those counts for the March 2015 Draft EIR is consistent with standard traffic analysis practice which holds that in areas like Los Altos that are largely built out (i.e., no substantial vacant parcels that have been developed since when the traffic counts were conducted), traffic data no older than two years (the count data in question was only 16 months old at the time of the EIR analysis) remains valid.
- D-12 The commenter indicates the new structures proposed at the Blach campus would necessitate expanded parking for teachers and expanded drop-off area for vehicles. There are no plans to expand the parking and drop-off areas. There is street parking on Covington Road in addition to the campus parking lot, which accommodates current teacher parking, and is expected to do so for the additional BCS teachers anticipated through the 2018-2019 school year.
- D-13 The commenter indicates that for Mitigation Measure 4.A-2b, the District should pay for the signal improvement or contribute to future signal improvement if the City is not ready for implementation, and should conduct outreach to the surrounding neighborhood regarding the mitigation measure. Signalization of the Miramonte Avenue / Covington Road intersection was identified as a mitigation measure in the Draft EIR because it would clearly improve the level of service to an acceptable LOS, and thus would mitigate the project impact. However, (1) as stated on page 4.A-14 of the Draft EIR, LASD does not have the authority to install traffic signals at City intersections, and (2) as described on page 4.A-11 of the Draft EIR, the City of Los Altos, through ongoing consultation with the community, has undertaken evaluations to modify the current physical configuration of the Miramonte Avenue / Covington Road intersection, but the improvements under consideration currently do not include plans to install signals at this intersection. Because LASD cannot implement Mitigation Measure 4.A-2a, and because the mitigation measures LASD can implement (4.A-2b and 2c) are not guaranteed to

reduce the potential impact to a level of insignificance, the impact is conservatively considered to be significant and unavoidable, as described in the Draft EIR. LASD would consider making a fair share contribution to fund Mitigation Measure 4.A-2a in the future, but such consideration would be appropriate only if the City proceeds with signalization, something it has declined to pursue to date.

Regarding public outreach, the District's issuance of a Notice of Preparation and Notice of Availability of the Draft EIR (and the Draft EIR itself) is LASD's effort to inform the surrounding neighborhood about the project, and the identification of potential impacts and mitigation measures. Further, District staff personally provided notices to neighbors living adjacent to the project sites at the Covington, Blach and Egan campuses.

- D-14 The commenter inquires how BCS will enforce implementing the TDM Program at the Blach campus in Draft EIR Mitigation Measure 4.A-2b. As discussed in Chapter 1 in the Draft EIR, prior to approval of the project, the District must certify the Final EIR and adopt a Mitigation Monitoring and Reporting Program (MMRP) for mitigation measures identified in the EIR, in accordance with the requirements of California Public Resources Code (PRC) Section 21001. The MMRP is implemented to ensure that the mitigation measures identified in the EIR are implemented. The comment's recognition of the Draft EIR's assertion that successful TDM programs cannot be ensured is acknowledged.
- D-15 The commenter inquires how BCS will enforce asking BCS parents to use Grant Road for the a.m. peak hour at the Blach campus in Draft EIR Mitigation Measure 4.A-2c. As discussed in Chapter 1 in the Draft EIR, prior to approval of the project, the District must certify the Final EIR and adopt a MMRP for mitigation measures identified in the EIR, in accordance with the requirements of California Public Resources Code (PRC) § 21001. The MMRP is implemented to ensure that the mitigation measures identified in the EIR are implemented. The Draft EIR acknowledges uncertain enforceability and does not rely on this mitigation measure to reduce the impact to a less-than-significant level.
- D-16 The commenter states that the Draft EIR Mitigation Measure 4.A-3a maintains crossing guards at BCS driveways at the Egan campus, however, indicates the project should discuss minimizing student conflicts with the driveways. Please see response to Comment D-10 regarding current efforts by the District, in conjunction with the City of Los Altos traffic engineer, to explore additional traffic-management measures to improve conditions for pedestrians and bicyclists.
- D-17 The commenter inquires how BCS will enforce requiring three volunteers/staff at the Egan campus to assist in unloading/loading of students from vehicles in Draft EIR Mitigation Measure 4.A-3b. As discussed in Chapter 1 in the Draft EIR, prior to approval of the project, the District must certify the Final EIR and adopt a MMRP for mitigation measures identified in the EIR, in accordance with the requirements of California Public Resources Code (PRC) § 21001. The MMRP is implemented to ensure that the mitigation measures identified in the EIR are implemented.

The commenter also incorrectly indicates the Draft EIR states that there is no certainty Mitigation Measure 4.A-3b measure will be successful. This comment is believed to have been made in error in this case because the Draft EIR does not express any uncertainty regarding the success of this mitigation measure.

- D-18 The commenter inquires how will BCS enforce encouraging parents at the Egan campus to arrive at least 15 minutes prior to the end of classroom instruction in Draft EIR Mitigation Measure 4.A-3c. As described in response to Comment D-17 above, the District must certify the Final EIR and adopt a MMRP for mitigation measures identified in the EIR, in accordance with the requirements of California Public Resources Code (PRC) § 21001. The MMRP is implemented to ensure that the mitigation measures identified in the EIR are implemented.

The commenter also incorrectly indicates the Draft EIR states that there is no certainty Mitigation Measure 4.A-3c measure will be successful. This comment is believed to have been made in error in this case because the Draft EIR does not express any uncertainty regarding the success of this mitigation measure.

- D-19 The commenter indicates that Mitigation Measure NOI-1 in the Draft EIR incorrectly refers to the City's Municipal Code requirements for allowable hours for construction on Saturdays, and that the correct allowable hours for construction on Saturdays are 9:00 a.m. to 3:00 p.m.

The Draft EIR Initial Study, Noise section, page 53, Mitigation Measure NOI-1 correctly refers to Municipal Code Section 6.16.070(B)(6)(a)(i) and its associated allowable weekday (7:00 a.m. to 5:30 p.m.) and Saturday (9:00 a.m. to 3:00 p.m.) hours of construction. However, the Draft EIR Chapter 2, Summary, Table 2-2, page 2-10; and Draft EIR Chapter 4, Summary of Initial Study, page 4.B-11 incorrectly refer to Municipal Code Section 6.17.070 and its allowable construction hours.

Revisions are made herein for Mitigation Measure NOI-1 in Chapter 2, Summary, Table 2-2, page 2-10; and Draft EIR Chapter 4, Summary of Initial Study, page 4.B-11, to correctly refer to Municipal Code Section 6.16.070(B)(6)(a)(i) and its associated allowable days/hours of construction (additional text shown with underline; deleted text shown with ~~strike through~~).

**“Mitigation Measure NOI-1:** The portable installation contractor(s) shall implement the following best management construction practices during site preparation and installation of the proposed portables:

- Site preparation and portable installation times shall be consistent with the heavy construction noise exemption in section ~~6.16.070(B)(6)(a)(i)~~ 6.17.070 of the City Code. All noise generating activities shall be limited to the hours of 7:00 a.m. to ~~5:30~~ 7:00 p.m., ~~weekdays Monday through Saturday;~~ and 9:00 a.m. to 3:00 p.m. on Saturdays; and shall be prohibited any time on Sundays or the city observed holidays of New Year's Day, Memorial Day, Independence Day, Labor Day, Veterans' Day, Thanksgiving Day and Christmas Day.

- During site preparation and installation, the contractor(s) shall use all equipment, fixed or mobile, with properly operating and maintained exhaust and intake mufflers, consistent with manufacturers' standards.
- A temporary noise barrier shall be installed at the Covington campus to shield adjacent receptors to the east and south from construction-related noise. The barrier should be at least eight feet in height and may be a commercially available temporary sound wall system or alternatively, of plywood construction, provided there are no gaps."

D-20 The commenter indicates that NOI-2 should address the City's HVAC noise limit of 50 dBA at the property line. As discussed in the Draft EIR Initial Study, Noise section, page 54, air conditioning and heating equipment included with the new portables at the campuses would need to comply with Section 6.16.070(B)(12) of the City's noise ordinance which establishes a residential property line noise limit of 50 dBA. Compliance with this ordinance would ensure the project's effect from portable equipment noise at neighboring properties would be less than significant.

To formalize the District's compliance with City Ordinance Section 6.16.070(B)(12), Mitigation Measure NOI-2 is refined to include reference to maintaining an exterior limit of 50 dBA at the neighboring residential property line consistent with this ordinance. Revisions are made herein for Mitigation Measure NOI-2 in Chapter 2, Summary, Table 2-2, page 2-11; Draft EIR Chapter 4, Summary of Initial Study, page 4.B-11; and the Initial Study, page 54 (additional text shown with underline).

**"Mitigation Measure NOI-2:** The District shall ensure that the combination of identified heating, air conditioning and ventilation (HVAC) equipment noise reduction features and exterior building insulation of the proposed portable classrooms is sufficient to maintain an interior performance standard noise level of 45 dBA; and maintain an exterior limit of 50 dBA at the neighboring residential property line consistent with the City Noise Ordinance. This performance standard may be achieved by a variety of means, including but not limited to:

- Installation of HVAC equipment with low noise emission features, including but not limited to, enclosures, baffling and noise suppression~~a noise specification rating of 70 dBA or less at 7 feet.~~
- Ensure portable classrooms have exterior walls with a sound transmission class of 50 or better for airborne noise.
- Locate HVAC equipment on buildings as far away from nearby residential properties as feasible."

D-21 The commenter inquires if the traffic mitigation measures are for each school, or are stand-alone. The traffic mitigation measures for each school are stand-alone measures.

D-22 The commenter inquires that, aside from Draft EIR Mitigation Measure 4.A-2a, if other mitigation measures are implemented and do not improve the impact, what will LASD do to mitigate. The Draft EIR acknowledges that the success rate of Draft EIR Mitigation Measure 4.A-2b and 4.A-2c cannot be guaranteed, and consequently, deems the potential

impact to be significant and unavoidable. See response to Comment B-7 regarding additional strategies that could be included in the required TDM program.

- D-23 The commenter indicates there a significant number of Egan students that walk and bike that must cross the BCS driveways. The commenter adds that while maintaining crossing guards will help to address potential vehicle-bicycle and vehicle-pedestrian conflict, and inquires if the District would consider further reducing that conflict by providing an alternative access point at the gate on San Antonio Road (along with improvements such as a pathway and fencing to separate the path from BCS grounds) to allow for Egan students an unimpeded way to school. See response to Comment D-10 regarding current efforts by the District, in conjunction with the City of Los Altos traffic engineer, to explore additional traffic-management measures to improve conditions for pedestrians and bicyclists (e.g., provide access from San Antonio Road south of Jordan Avenue).
- D-24 The commenter suggests that the analysis and proposed improvements do not take into consideration the queueing and safety concerns resulting from parents who park on the north side of West Portola Avenue and cross mid-block between vehicles. The commenter also suggests that these movements add to the queueing effect, and inquires if there will be a proposal to help mitigate this. The existing behavior cited by the commenter is acknowledged as contributing to safety concerns during relatively short period of time during student drop-off/pick-up periods. As stated on page 4.A-16 of the Draft EIR, the project could result in adverse effects during student drop-off/pick-up periods, and while the project's effect on non-school-related traffic would not be substantial, the continuing substantial vehicle queueing and congestion on Portola Avenue is conservatively considered a significant impact. Implementation of Mitigation Measures 4.A-3a, 3b, and 3c would be required to reduce potential impacts of the project to a less-than-significant level. See response to Comment D-10 regarding current efforts by the District, in conjunction with the City of Los Altos traffic engineer, to explore additional traffic-management measures to improve conditions during drop-off / pickup periods (e.g., prohibition of parking in a new on-street passenger loading zone on the south (school) side of West Portola Avenue during the drop-off and pickup periods).
- D-25 The commenter requests that the District clarify its reasoning for selecting appropriate alternatives, and as an example indicated it was not clear why locating BCS to other District properties is infeasible, and not merely too costly.

With respect to selection of alternatives, as discussed in the Draft EIR, Chapter 5, Alternatives, page 5-1, CEQA *Guidelines* §15126.6 requires that an EIR describe and evaluate a range of reasonable alternatives to the project or to the location of the project that could avoid or substantially lessen any of the significant effects of the project and feasibly attain most of its basic objectives.

Towards that end, as described on Draft EIR page 5-9, as part of the Proposition 39 process in advance of the 2013/14 school year, District staff evaluated multiple BCS facilities scenario options, subject to public input, and identified the five potential options

discussed in the Draft EIR [1) Co-Location at Egan and Blach; 2) Tenth Site, 3) BCS at Covington Campus, 4) BCS Swap with Santa Rita, and 5) Three Campus Co-Location)]. These options were considered as potential alternatives to the proposed project in the Draft EIR, however, as described in the Draft EIR and below, Options 2 through 5 were deemed infeasible by the District due to multiple factors, including the impact on the District's existing school communities and thriving public schools.

The commenter mischaracterizes the District's decision for rejection of alternatives involving other District properties that were determined to be infeasible based merely on costs. As discussed on Draft EIR, page 5-1, the CEQA Guidelines generally define "feasible" to mean an alternative that is capable of being accomplished in a successful manner within a reasonable amount of time, taking into account economic, environmental, social, technological, legal and other factors. As discussed on pages 5-10 to 5-11, the reasons for rejection of certain options included the inability to accomplish the option in a successful manner within a reasonable amount of time (e.g., Option 2), social factors (Options 3, 4 and 5), and economic factors (e.g., Options 2 and 5).

As discussed on Draft EIR, page 5-10, Option 1, which was the existing configuration analyzed in this Draft EIR, was determined to be the least disruptive to the District and BCS, as well as economically viable. This configuration provided the basis for Alternative 2 in the Draft EIR, which also modified the BCS Instruction Start Time for BCS students to avoid a significant project-related and contribution to cumulative traffic impact at the intersection of Miramonte Avenue/Covington Road.

As required by the CEQA Guidelines, the Draft EIR also evaluated a "No Project" Alternative (Alternative 1) on Draft EIR pages 5-3 to 5-4. Accordingly, the EIR's alternatives analysis satisfies CEQA's requirements in that it properly analyzes a reasonable range of alternatives, including the no project alternative, and adequately explains why various other alternatives were rejected.

- D-26 The commenter suggests that Alternative No. 2 seems infeasible and relies on unenforceable mitigation to constrain the traffic routes to the Blach campus and should not be included. The Draft EIR acknowledges that Alternative 2 would be infeasible because it would limit BCS in schedule, student flexibility and educational program. However, the Draft EIR notes that the remaining significant and unavoidable impact at Miramonte Avenue/ Covington Road would be lessened with implementation of a TDM program and/or by the BCS directing BCS staff and parents of BCS students who drive to the Blach campus at the start of classes to do so via Grant Road instead of via Miramonte Avenue.

**From:** Katherine (Trina) Weller [<mailto:kweller@sbcglobal.net>]

**Sent:** Thursday, April 02, 2015 10:14 AM

**To:** Randy Kenyon

**Subject:** Facilities for BCS Draft EIR

Dear Mr. Kenyon:

I have reviewed the Draft LOS ALTOS SCHOOL DISTRICT'S PROVISION OF FACILITIES FOR BULLIS CHARTER SCHOOL (2015-2016 TO 2018-2019 SCHOOL YEARS)

Environmental Impact Report SCH No. 2014122051. I'm concerned about the impact of increasing BCS enrollment at Blach School on the Miramonte Covington intersection.

E-1

In your report, you have mentioned that one of the mitigation measures is a traffic signal at this intersection. However, the community has strongly reacted against a proposed traffic signal at this corner for over a decade due to safety concerns of the kids with the presence of a traffic signal. Most recently the Los Altos City Council voted **against** a traffic signal in 2012, backed by hundreds of signatures from residents. Therefore, I strongly suggest removing this alternative from consideration as the City has thoughtfully considered this and decided against it for safety reasons.

E-2

I would like to suggest the following as viable alternatives:

- A school-sponsored shuttle paid for by parents (by buying a bus "pass") from Los Altos Hills and / or other key points to and from Blach.
- An alternative drop off site at Heritage Oaks Park for BCS with a walking path into the back of Blach.
- Add a traffic signal at Portland and Grant so people can make a left turn from Portland onto Grant in the morning. Right now they come down Miramonte.

E-3

What is the process for getting alternatives into this EIR? What do I need to do in order to have them considered?

Regards,  
Katherine Weller, Blach Parent  
1011 Loma Prieta Ct.  
Los Altos  
650-960-8227

## Letter E. Katherine Weller

E-1 The commenter's stated concern about potential project impacts on the Miramonte Avenue / Covington Road intersection is noted. The commenter is referred to the detailed analysis of project transportation impacts in the Draft EIR, including those at the Miramonte Avenue / Covington Road intersection, and mitigation measures identified in the Draft EIR to reduce project impacts.

E-2 The commenter indicates the community is strongly opposed to a traffic signal at the intersection of Miramonte Avenue / Covington Road. The comment is noted and will be considered by the District in its decision making. As discussed in the Draft EIR, since the intersection of Miramonte Avenue / Covington Road is within the jurisdiction of the City of Los Altos, any potential improvements to this intersection would be subject to approval and implementation by the City of Los Altos, and not the Los Altos School District.

It should be noted that the commenter also incorrectly refers to the signalization of Miramonte Avenue / Covington Road as an alternative, whereas it is identified in the Draft EIR as a mitigation measure.

E-3 The commenter suggests three potential alternatives to installing a traffic signal at Miramonte Avenue / Covington Road. The commenter appears to use "alternatives" to mean "alternative mitigation measures." The three suggestions raised by the commenter, responded to individually below, are responded to in the context of potential mitigation measures.

The first suggestion from the commenter is a school-sponsored shuttle paid for by parents from Los Altos Hills and/or other key points to and from the Blach campus. Mitigation Measure 4.A-2b in the Draft EIR requires implementation of a Transportation Demand Management (TDM) program that includes, but is not necessarily limited to, strategies to increase the travel mode share of carpooling (parent with more than one student in the vehicle), bicycling, and walking, while decreasing the "drive alone" travel mode share of (parent with only one student in the vehicle). The suggestion raised by the commenter would be considered by the District along with other potential measures to decrease single-auto use for transport of BCS students to/from Blach campus.

The second suggestion from the commenter is an alternative drop off at Heritage Oaks Park for BCS, with a walking path into the back of Blach campus. Heritage Oaks Park, accessed from McKenzie Avenue, has limited parking facilities with no dedicated passenger drop off. McKenzie Avenue is also relatively narrow in vehicle travel width, and does not contain sidewalks adjacent to the park. In addition, the section of Portland Avenue adjacent to the north side of the park also does not contain a sidewalk, and there is no crosswalk/pedestrian signal at the intersection of Portland Avenue/McKenzie Avenue. Furthermore, the walking distance from Heritage Oaks Park to the back of Blach campus would approximately one-half mile, longer than what would be a recommended travel

distance for students. For these reasons, this suggestion is not considered a feasible mitigation measure. Nevertheless, the TDM program identified in Mitigation Measure 4.A-2b in the Draft EIR would consider all feasible measures to decrease single-auto use for transport of BCS students to/from Blach campus.

The third suggestion from the commenter is to add a traffic signal at the intersection of Portland Avenue/Grant Avenue so people can make a left-turn from Portland onto Grant in the morning, whereas they now come down Miramonte Avenue. The commenter appears to suggest that the recommended improvement would create a shift in travel patterns resulting in an associated improvement in traffic level of service on Miramonte Avenue, however, the effects of implementation of such improvement are speculative. Furthermore, the intersection of Portland Avenue/Grant Avenue is within the jurisdiction of the City of Los Altos, and any potential improvements to this intersection would be responsibility of the City of Los Altos, and not the Los Altos School District.

STATE OF CALIFORNIA—CALIFORNIA STATE TRANSPORTATION AGENCY

EDMUND G. BROWN Jr. Governor

**DEPARTMENT OF TRANSPORTATION**

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April 29, 2015

SCLVAR058  
SCLVAR/PM VAR  
SCH# 2014122051

Mr. Randy Kenyon  
Los Altos School District  
201 Covington Road  
Los Altos, CA 94024

Dear Mr. Kenyon:

**Provision of Facilities for Bullis Charter School – Draft Environmental Impact Report (DEIR)**

This letter includes additional comments on the above-referenced project. Please refer to the previous comment letter, dated April 16, 2015.

***Traffic Impact Analysis (TIA)***

Caltrans recommends the TIA include an analysis of potential impacts by the project on State Route (SR) 82 (El Camino Real), especially impacts from Egan Junior High School Campus. Also, please include analyses of the following intersections in the TIA:

- San Antonio Road/SR 82;
- San Antonio Road/Loucks Avenue; and
- Miramonte Avenue/Eastwood Drive.

***Transportation Permit***

Please discuss whether the portable building structures for each campus site will be built onsite or, like the Egan Campus, will be transported. Project work that requires movement of oversized or excessive load vehicles on State roadways requires a transportation permit that is issued by Caltrans. To apply, a completed transportation permit application with the determined specific route(s) for the shipper to follow from origin to destination must be submitted to: David Salladay, District Office Chief, Office of Permits, California Department of Transportation, District 4, P.O. Box 23660, Oakland, CA 94623-0660. See the following website for more information: <http://www.dot.ca.gov/hq/traffops/permits>.

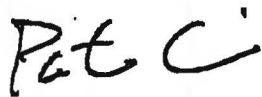
F-1

F-2

Mr. Randy Kenyon/Los Altos School District  
April 29, 2015  
Page 2

Should you have any questions regarding this letter, please contact Brian Ashurst of my staff at (510) 286-5505 or [brian.ashurst@dot.ca.gov](mailto:brian.ashurst@dot.ca.gov).

Sincerely,

A handwritten signature in black ink, appearing to read "Pat C".

PATRICIA MAURICE  
Acting District Branch Chief  
Local Development - Intergovernmental Review

c: Scott Morgan, State Clearinghouse

## **Letter F. State of California Department of Transportation, District 4 (Patricia Maurice, Acting District Branch Chief, Local Development – Intergovernmental Review)**

F-1 The commenter indicates that Caltrans recommends the traffic impact analysis include an analysis of potential impacts by the project on State Route 82 (SR 82), and the intersections of San Antonio Road/SR 82, San Antonio Road/Loucks Avenue and Miramonte Avenue/Eastwood Drive. The selection of study intersections for the Draft EIR was based on proximity to the affected campuses and on the potential for project impacts on level of service (LOS) conditions at area intersections. The study locations recommended by the commenter were reasonably excluded from the Draft EIR's traffic impact analysis for the following reasons:

- San Antonio Road / State Route 82 (El Camino Real): This signalized intersection is currently operating at a good LOS C during both the a.m. and p.m. peak hours, according to the San Antonio Precise Plan Draft EIR, published by the City of Mountain View in August 2014, and there is no expectation that the proposed project would have a significant impact. To satisfy the commenter's concern about the reasonableness of that expectation, the a.m. peak-hour LOS with the proposed project was computed, assuming that all of the proposed project-generated trips on San Antonio Road north of West Portola Avenue would travel through the San Antonio Road / SR 82 intersection on its most-constrained movements. [The project would generate no new commute p.m. peak-hour trips.] The resulting service level would remain at a good LOS C, with a small increase in the average delay per vehicle. Of note, per the San Antonio Precise Plan Draft EIR, the minimum acceptable level of service at this intersection is LOS E.
- State Route 82 (El Camino Real): Operating conditions at signalized intersections generally control the level of service for roadways. The above-cited August 2014 Draft EIR reported that 16 signalized intersections on SR 82 (between West Charleston Road and Sunnyvale Avenue) all operate at an acceptable LOS (the LOS standards for those intersections is either LOS C/D or LOS E), and similarly, there is no expectation that the proposed project would have a significant impact at the SR 82 intersections. As described above, the project would have a less-than-significant impact on a.m. peak-hour conditions at the San Antonio Road / SR 82 intersection, and project-generated trips would disperse over the area road network as they get farther from the Egan campus, further reducing the potential impact on any of the other SR 82 intersections.
- San Antonio Road / Loucks Avenue and Miramonte Avenue / Eastwood Drive: These are unsignalized intersections (with side-street stop-sign control on Loucks Avenue and Eastwood Drive). There is no reason to expect that the proposed project would add traffic to the stop-sign controlled roads (both of which are relatively short streets that serve a modest number of residences). These local streets would be used by project-generated vehicle trips only if a new BCS student or faculty member lived there, and even then, given the proximity of these streets to the Egan and Blach campuses, respectively, trips more than likely would be made by bicycle or by walking, not in an automobile. For that reason, there is no

expectation that the proposed project would have a significant impact at either of these intersections.

- F-2 The commenter requests discussion of whether the portable building structures for each campus would be built on-site, or like Egan campus, would be transported. The proposed portables at all project campuses would be delivered in 12-foot by 40-foot sections to the site via flatbed trucks, and pieced together at each campus.

The commenter indicates that project work that requires movement of oversized or excessive load vehicles on State roadway require a transportation permit that is issued by Caltrans. The comment is noted.

## Letter G

**From:** [GeorgeJ4VMF@aol.com](mailto:GeorgeJ4VMF@aol.com) [<mailto:GeorgeJ4VMF@aol.com>]

**Sent:** Tuesday, April 21, 2015 10:05 PM

**To:** Randy Kenyon

**Subject:** BCS-Bullis DEIR

Dear Randy,

1) I do not understand how BCS will be allowed to increase their enrollment in an area that is already dealing with the traffic burden of five schools and a huge hospital. How could you possibly go on with the construction without demanding from the BCS parents that they organize shuttle services or mandatory carpooling from destinations like Egon and Gardner Bullis in Los Altos Hills?

G-1

2) We on Covington and West Rose have had bad experiences with DEIRs and EIRs because even though they plainly state the requirements for the level of decibels, dust, traffic management and the start times for construction this information is not given to the truck drivers because they always arrive between 6:15 and 6:30. How are you going to protect the neighbors from these violations? Who is responsible for telling all the drivers of these massive trucks that the starting time is seven and not six?

G-2

3) Are these portables ever going to be taken down? Are they indeed "permanents" and not portables?

G-3

4) If Covington and Miramonte is required to get a traffic light (those closest to it do not want) then Portland and Grant needs a traffic signal so people can make a left turn from Portland onto Grant in the morning. Otherwise they just come down Miramonte.

G-4

5) Safety issues: what happens in an emergency when an ambulance tries to get to a patient or to the hospital? There is no room on any of the streets around Miramonte, Grant, Portland, Covington for an ambulance when school kids are being delivered or picked up!!!

G-5

6) Are our Saturdays and Sundays going to be free of early morning decibels and dust or are they also allowed workdays?

G-6

Sincerely

George W Jelich

## Letter G. George Jelich

- G-1 The commenter inquires how BCS will be allowed to increase their enrollment in an area that is already dealing with the traffic burden of five school and huge hospital. The commenter also inquires how the District will go on with construction without demanding from the BCS parents that they organize shuttle services or mandatory carpooling from destinations like Egon [sic] and Gardiner Bullis in Los Altos Hills.

The commenter does not specifically address the adequacy of the Draft EIR, but rather, makes general comments about regional traffic and Los Altos Hills residents. The Draft EIR addresses the impacts of the proposed project, including effects of increased BCS enrollment and associated traffic that would occur with implementation of the District's provision of facilities for BCS (for the 2015-2016 to 2018-2019 school years).

Accordingly, the Draft EIR identifies all significant traffic impacts associated with the project, including any traffic impacts associated with the project's contribution to cumulative traffic. In both cases, the Draft EIR identifies mitigation measures to address the project's impacts to the extent possible. The commenter is referred to Mitigation Measures 4.A-2b and 4.A-6b in the Draft EIR, which require implementation of a Transportation Demand Management (TDM) program that includes, but is not necessarily limited to, strategies to increase the travel mode share of carpooling (parent with more than one student in the vehicle), bicycling, and walking, while decreasing the "drive alone" travel mode share of (parent with only one student in the vehicle).

- G-2 The commenter indicates the residents of Covington and West Rose have had bad experiences with DEIRs and EIRs. This comment does not address the adequacy of the Draft EIR, and consequently, no response is required. Nevertheless, the District will consider these opinions in its decisionmaking process.

The commenter also suggests that EIR requirements for level of decibels, dust, traffic management and the start times for construction (i.e., project construction related mitigation measures) were not given to the truck drivers associated with past projects because they arrived early. As discussed in Chapter 1 in the Draft EIR, prior to approval of the project, the District must certify the Final EIR and adopt a Mitigation Monitoring and Reporting Program (MMRP) for mitigation measures identified in the EIR, in accordance with the requirements of California Public Resources Code (PRC) § 21001. The MMRP is implemented to ensure that the mitigation measures identified in the EIR are implemented.

- G-3 The commenter inquires if the portables are ever going to be taken away. As discussed in the Draft EIR Project Description the installation of several portable structures at the Blach and Egan campuses are intended to support and accommodate BCS' projected increase in the number of students and associated faculty/staff, and portables are proposed at Covington campus to accommodate the relocated Stepping Stones Preschool. Portables at the campuses as part of this project could be removed as needs change (such as if BCS enrollment declined beyond the 2018-2019 school year, and/or if Stepping

Stones discontinued operating on District property), however, such circumstances are unknown at this time.

- G-4 The commenter indicates that if the intersection of Covington Road and Miramonte Avenue is required to get a traffic signal, then the intersection of Portland Avenue and Grant Avenue need a traffic signal so people can make a left-turn from Portland Avenue onto Grant Avenue in the morning. The commenter is referred to response to Comment E-3.
- G-5 The commenter inquires what will happen in an emergency when an ambulance tries to get to a patient or to the hospital, and that there is no room on any of the streets around Miramonte Avenue, Grant Avenue, Portland Avenue and Covington Road for an ambulance when school kids are being delivered or picked up. This comment does not address the adequacy of any particular portion of the Draft EIR. However, as stated on page 4.A-16 of the Draft EIR, the street network serving the project campuses currently accommodates the movements of emergency vehicles that travel in the area, and queues of vehicles associated with school drop off/pick up times are temporary, do not affect areas outside immediate vicinity of schools and even in those immediate vicinities, the roads are standard widths and provide enough space for emergency vehicles to maneuver as needed. The proposed project would introduce no impedances to access for emergency vehicles, so that in the event of an emergency, vehicles would access the campuses as they currently do. The proposed project's impact to emergency vehicle access, therefore, would be less than significant.
- G-6 The commenter inquires if Saturdays and Sundays are going to be free of early morning decibels and dust or are they only allowed workdays. The commenter is referred to the assessment of construction related effects, including those related to construction related dust and noise; see Draft EIR Initial Study Air Quality and Noise sections. Specifically, the commenter is referred to Mitigation Measure AIR-1 in the Draft EIR which would ensure that construction emissions, including dust would remain less than significant. The commenter is also referred to Mitigation Measure NOI-1 in the Draft EIR, as amended in this Response to Comments Document, which requires that site preparation and portable installation times shall be consistent with the heavy construction noise exemption in section 6.16.070(B)(6)(a)(i) of the City Code, where all noise generating activities shall be limited to the hours of 7:00 a.m. to 5:30 p.m., weekdays; and Saturdays, 9:00 a.m. to 3:00 p.m. It should be noted that the construction activities are primarily limited to minor clearing, grading and asphalt paving, assembly of portable buildings, potential removal of certain portable buildings (at Blach campus only), and installation of utilities. All construction activities would occur in the summer 2015 and summer 2016 while LASD and BCS schools are not in session.

From: Lynn [<mailto:culturecoach@pacbell.net>]

Sent: Tuesday, April 21, 2015 4:37 PM

To: Randy Kenyon

Subject: DEIR for Blach/Bullis

>

> Dear Randy,

>

> 1) I do not understand how BCS will be allowed to increase their enrollment in an area that is already dealing with the traffic burden of five schools and a huge hospital. How could you possibly go on with the construction without demanding from the BCS parents that they organize shuttle services or mandatory carpooling from destinations like Egon and Gardner Bullis in Los Altos Hills?

H-1

> 2) We on Covington and West Rose have had bad experiences with DEIRs and EIRs because even though they plainly state the requirements for the level of decibels, dust, traffic management and the start times for construction this information is not given to the truck drivers because they always arrive between 6:15 and 6:30. How are you going to protect the neighbors from these violations? Who is responsible for telling all the drivers of these massive trucks that the starting time is seven and not six?

H-2

> 3) Are these portables ever going to be taken down? Are they indeed "permanents" and not portables?

H-3

> 4) If Covington and Miramonte is required to get a traffic light (those closest to it do not want) then Portland and Grant needs a traffic signal so people can make a left turn from Portland onto Grant in the morning. Otherwise they just come down Miramonte.

H-4

> 5) Safety issues: what happens in an emergency when an ambulance tries to get to a patient or to the hospital? There is no room on any of the streets around Miramonte, Grant, Portland, Covington for an ambulance when school kids are being delivered or picked up!!!

H-5

> 6) Are our Saturdays and Sundays going to be free of early morning decibels and dust or are they also allowed workdays?

H-6

Sincerely,

Lynn Hawley- Wildmoser

>

## **Letter H. Lynn Hawley-Wildmoser**

- H-1 The commenter is referred to response to Comment G-1.
- H-2 The commenter is referred to response to Comment G-2.
- H-3 The commenter is referred to response to Comment G-3.
- H-4 The commenter is referred to response to Comment G-4.
- H-5 The commenter is referred to response to Comment G-5.
- H-6 The commenter is referred to response to Comment G-6.

**From:** Judith Bragg [<mailto:judithbragg@sbcglobal.net>]

**Sent:** Wednesday, April 22, 2015 1:36 PM

**To:** Randy Kenyon

**Subject:** School construction

Mr. Kenyon,

I am one of Blach School's neighbors on West Rose Circle that backs up to the Blach school track. I can't believe that we are going to go through yet another ordeal with the school board. This brings back all the bad memories with regard to the SCVWD debacle.

Once again, in all your ( the school board's ) wisdom you want to create another mess in the neighborhood. Has anyone on the school board bothered to try to get to Blach school in the morning and afternoon when school is in session? It's an unbelievable nightmare, and now you want to increase enrollment at BCS and bring in additional classrooms too?

I am actually in favor of BCS. What I'm not in favor of is MVLA school district going to court over the last three years in an attempt to thwart BCS from getting their own school. Maybe if you had let them use Covington school or put your money towards building BCS a school, with all that money that you spent going to court and on legal fees, we wouldn't be in the predicament we are in now.

The school board has consistently proved themselves to be a bad neighbor to all of us in the area. I don't think that is doing any of you any favors. This reeks of a total disregard for all the neighbors surrounding Blach school. Please reread Lynn Wildmoser's recent letter to you. In it she expresses the feelings of all of us.

Please reconsider this plan and its implementation.

Regards,

Judith Bragg  
1018 West Rose Circle

## Letter I. Judith Bragg

- I-1 The commenter offers a number of opinions concerning the merits of the project. These comments do not address the adequacy of the Draft EIR. The District will consider these opinions in its decision making process. With respect to the issues raised by the commenter concerning getting to Blach campus in the morning and afternoon while school is in session, the commenter is referred to the Draft EIR section IV.A, Transportation and Circulation, which addresses the transportation and circulation impacts of the proposed project that would occur with implementation of the District's provision of facilities for BCS (for the 2015-2015 to 2018-2019 school years). Accordingly, the Draft EIR identifies all significant traffic impacts associated with the project in the Blach campus vicinity, including on traffic levels of service at study intersections, and traffic safety and queuing at project driveways, and identifies identifies mitigation measures to address the project's impacts to the extent possible. The commenter is also referred Mitigation Measures 4.A-2b and 4.A-6b in the Draft EIR, which require implementation of a Transportation Demand Management (TDM) program by BCS; Mitigation Measures 4.A-2c and 4.A-6c, which would require BCS to direct BCS parents to arrive via Grant Road instead of Miramonte Avenue; and Mitigation Measure 4.A-3a-c, which would continue the use of crossing guards at school access driveways, use of volunteers/staff to manage student unloading/loading operations, and encouragement of parents to arrive early to help reduce the number of vehicles arriving at one time.

# CHAPTER 4

## Errata

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The following corrections and changes are made to the Draft EIR and incorporated as part of the Final EIR. Revised or new language is underlined. Deleted language is indicated by ~~striketrough~~ text. Preceding each revision **[in bolded brackets]** is a reference to the revision being the result of a staff-initiated change, or a revision that is in response to a comment received, in which the comment letter and numbers are identified in the bracket.

At the request of BCS, the District has elected to make minor modifications to the proposed sequencing of construction of new facilities at the Egan and Blach under the project. Under the revision, all proposed project construction activities at the Egan campus would occur during summer 2015, instead of being distributed over two summers (2015 and 2016) as was originally proposed. Consequently, three portables (one 1,920 square foot and two 960 square foot portables) originally proposed to be installed at the Egan campus during summer 2016 would instead be installed during summer 2015, along with the other construction proposed at that campus during summer 2015. At the Blach campus, two 960 square foot portables originally proposed to be installed during summer 2015 would instead be installed during summer 2016, along with the other construction proposed at that campus during summer 2016. No change in sequencing of proposed construction activities would occur at the Covington campus. It should be noted than under this sequencing revision, the total amount of proposed construction under the project would be the same as was originally proposed. Other than the changes made herein documenting construction sequencing change to the Draft EIR Project Description, no revisions are required to any of the environmental analysis conducted for, and conclusions reached in, the Draft EIR.

Revisions are made herein to the description of project construction sequencing text in the Draft EIR Project Description (additional text shown with underline; deleted text shown with ~~striketrough~~); and figures that require revisions are replaced as shown.

**[Staff-Initiated Change]** Chapter 3, Project Description, page 3-9, first full paragraph is revised as follows:

“Proposed site improvements at the Egan campus include the installation of six new portable buildings. Prior to the 2015-2016 school year, ~~four~~two 960 square foot portables, ~~and one 1,440 square foot portable, and one 1,920 square foot portable~~ would be installed. The ballfield in the southeast corner of the school would also be reconfigured. ~~Prior to the 2016-2017 school year two 960 square foot portables and one 1,920 square foot portables would be installed.~~ The four 960 square foot portables

would each be used as classrooms, while the two larger portables would be used as flex spaces for specialized activities. Each of the new portables would be equipped with a single exterior light. The location of these improvements is shown in **Figure 3-3.**”

**[Staff-Initiated Change]** Chapter 3, Project Description, page 3-10, Figure 3-3 (Proposed Site Improvements at Egan Campus) is replaced with the revised Figure 3-3 on the following page.

**[Staff-Initiated Change]** Chapter 3, Project Description, page 3-11, first full paragraph is revised as follows:

“Proposed site improvements at the Blach campus that would occur under the project include the installation of nine new portable buildings over two summers. Prior to the 2015-2016 school year ~~two 960 square foot portables~~, two 1,920 square foot portables, and one 480 square foot portable would be installed. The installation would require the removal of the Stepping Stones portables and playground. Prior to the 2016-2017 school year ~~five~~ three 960 square foot portables and one 480 square foot portable would be installed. The five 960 square foot portables would each be used as classrooms, while the larger portables would be used as flex spaces for specialized activities, and the smaller 480 square foot portables would serve as restrooms. Each of the new portables would be equipped with a single exterior light. The location of these improvements is shown in **Figure 3-4.** In addition, the District would install a new 9,500 square foot blacktop play area for BCS.”

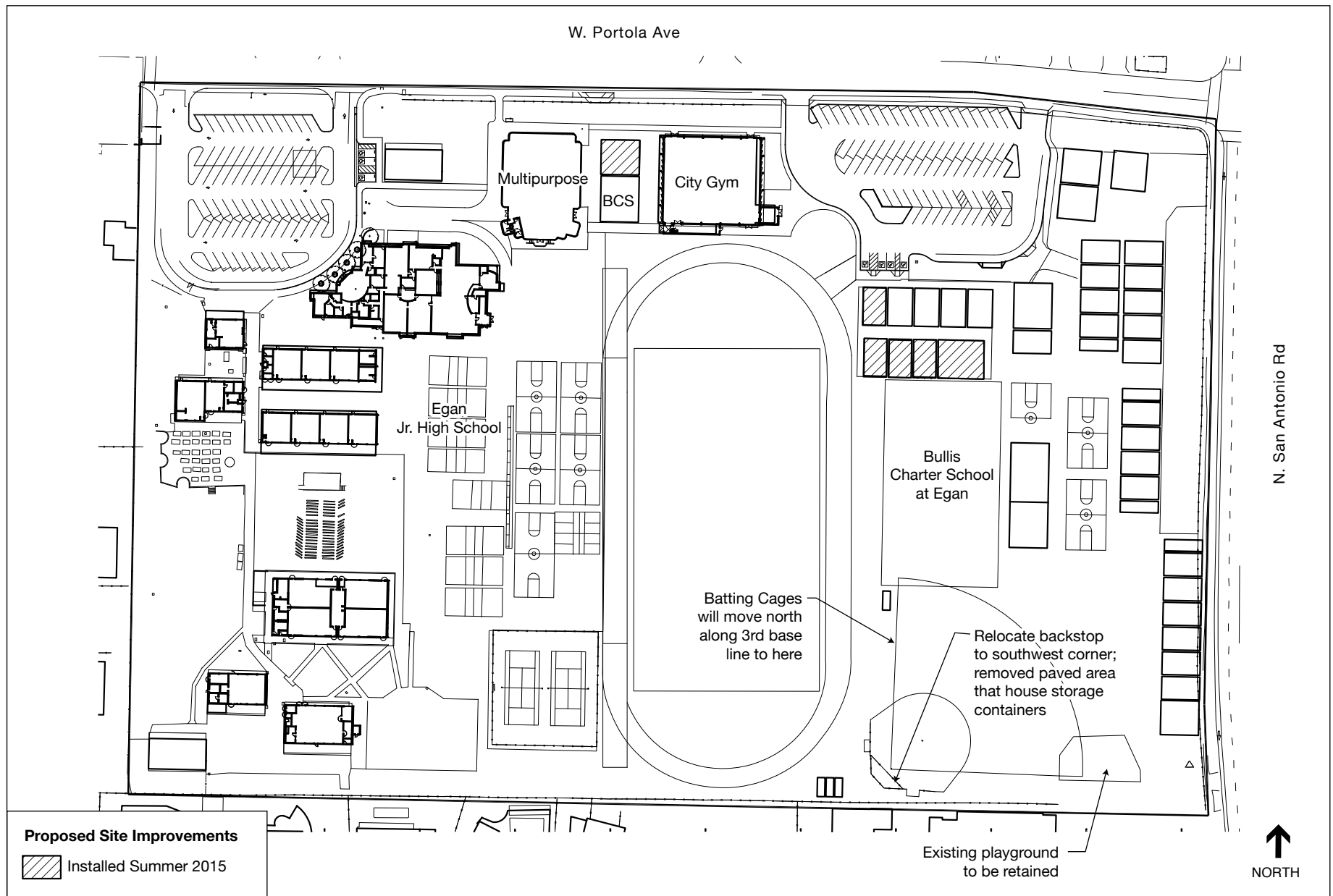
**[Staff-Initiated Change]** Chapter 3, Project Description, page 3-12, Figure 3-4 (Proposed Site Improvements at Blach Campus) is replaced with the revised Figure 3-4 on the page after next.

**[Staff-Initiated Change]** Chapter 3, Project Description, page 3-14, Table 3-6 (Construction Phasing Schedules) is replaced with the revised Table 3-6 below:

**TABLE 3-6  
CONSTRUCTION PHASING SCHEDULES**

School Year	Egan	Blach	Covington
2015-2016	<del>42 x 960 sqft portables</del> 1 x 1,440 sqft portable <u>1 x 1,920 sqft portable</u>  Reconfigured ballfield	<del>2 x 960 sqft portables</del> 2 x 1,920 sqft portable 1 x 480 sqft bathroom 9,500 sqft of blacktop  Remove Stepping Stone portables and playground	1 x 960 sqft portable 3 x 1,440 sqft portables  2 x preschool playgrounds
2016-2017	<del>None</del> <del>2 x 960 sqft portable</del> <del>1 x 1,920 sqft portable</del>	<del>53</del> <u>3</u> x 960 sqft portables 1 x 480 sqft portable	None
2017-2018	None	None	None
2018-2019	None	None	None

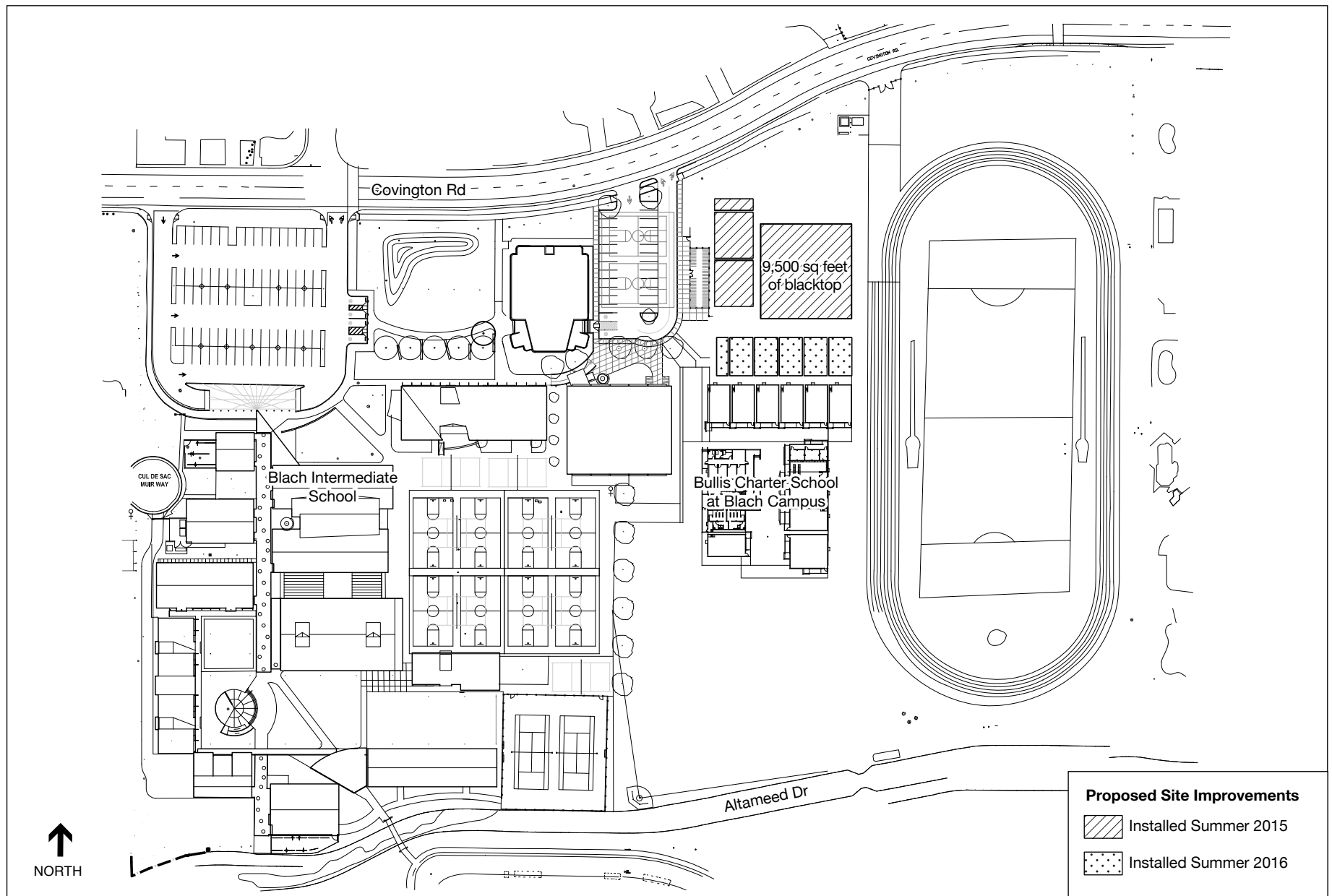
SOURCE: LASD, 2015~~4~~



SOURCE: LASD, 2015

Los Altos School District's Provision of Facilities for Bullis Charter School (2015-2016 to 2018-2019) . 140502

**Figure 3-3 (Revised)**  
Proposed Site Improvements at Egan Campus



SOURCE: LASD, 2015

Los Altos School District's Provision of Facilities for Bullis Charter School (2015-2016 to 2018-2019) . 140502

**Figure 3-4 (Revised)**

Proposed Site Improvements at Blach Campus

**[D-19]** Revisions are made herein for Mitigation Measure NOI-1 in Chapter 2, Summary, Table 2-2, page 2-10; and Draft EIR Chapter 4, Summary of Initial Study, page 4.B-11, and to correctly refer to Municipal Code Section 6.16.070(B)(6)(a)(i) and its associated allowable days/hours of construction (additional text shown with underline; deleted text shown with ~~striketrough~~).

**“Mitigation Measure NOI-1:** The portable installation contractor(s) shall implement the following best management construction practices during site preparation and installation of the proposed portables:

- Site preparation and portable installation times shall be consistent with the heavy construction noise exemption in section ~~6.16.070(B)(6)(a)(i)~~ 6.17.070 of the City Code. All noise generating activities shall be limited to the hours of 7:00 a.m. to ~~5:30~~ 7:00 p.m., ~~weekdays Monday through Saturday;~~ and 9:00 a.m. to 3:00 p.m. on Saturdays; and shall be prohibited any time on Sundays or the city observed holidays of New Year's Day, Memorial Day, Independence Day, Labor Day, Veterans' Day, Thanksgiving Day and Christmas Day.
- During site preparation and installation, the contractor(s) shall use all equipment, fixed or mobile, with properly operating and maintained exhaust and intake mufflers, consistent with manufacturers' standards.
- A temporary noise barrier shall be installed at the Covington campus to shield adjacent receptors to the east and south from construction-related noise. The barrier should be at least eight feet in height and may be a commercially available temporary sound wall system or alternatively, of plywood construction, provided there are no gaps.”

**[D-20]** To formalize the District's compliance with City Ordinance Section 6.16.070(B)(12), Mitigation Measure NOI-2 is refined to include reference to compliance with this ordinance. Revision are made herein for Mitigation Measure NOI-2 in Chapter 2, Summary, Table 2-2, page 2-11; Draft EIR Chapter 4, Summary of Initial Study, page 4.B-11; and the Initial Study, page 54 (additional text shown with underline; deleted text shown with ~~striketrough~~).

**“Mitigation Measure NOI-2:** The District shall ensure that the combination of identified heating, air conditioning and ventilation (HVAC) equipment noise reduction features and exterior building insulation of the proposed portable classrooms is sufficient to maintain an interior performance standard noise level of 45 dBA; and maintain an exterior limit of 50 dBA at the neighboring residential property line consistent with the City Noise Ordinance. This performance standard may be achieved by a variety of means, including but not limited to:

- Installation of HVAC equipment with low noise emission features, including but not limited to, enclosures, baffling and noise suppression ~~a noise specification rating of 70 dBA or less at 7 feet.~~
- Ensure portable classrooms have exterior walls with a sound transmission class of 50 or better for airborne noise.
- Locate HVAC equipment on buildings as far away from nearby residential properties as feasible.”