

MITIGATED NEGATIVE DECLARATION
CALIFORNIA MONTESSORI PROJECT CHARTER SCHOOL
EAST SIDE OF BRADSHAW ROAD SOUTH OF ELK GROVE BLVD.
APN 134-0110-078 & PORTIONS OF -077, -076
ELK GROVE, CALIFORNIA

PREPARED FOR:
CALIFORNIA MONTESSORI PROJECT

JUNE 15, 2012

OUR PROJECT NUMBER: SES120001

This document was prepared for use only by the client, only for the purposes stated, and within a reasonable time from issuance. Non-commercial, educational, and scientific use of this report by regulatory agencies is regarded as a "fair use" and not a violation of copyright. Regulatory agencies may make additional copies of this document for internal use. Copies may also be made available to the public as required by law. The reprint must acknowledge the copyright and indicate that permission to reprint has been received.



MITIGATED NEGATIVE DECLARATION
CALIFORNIA MONTESSORI PROJECT CHARTER SCHOOL
EAST SIDE OF BRADSHAW ROAD SOUTH OF ELK GROVE BLVD.
APN 134-0110-078 & PORTIONS OF -077, -076
ELK GROVE, CALIFORNIA
OUR PROJECT NUMBER: SES120001

INTRODUCTION

This Mitigated Negative Declaration (MND) in conjunction with our original Initial Study (IS) dated April 26, 2012, serves as the complete IS/MND for this specific project. This report is being prepared as a subsequent article to the original draft IS and incorporates additional changes and edits to that document. These revisions and edits are based on the comments that we received during our 30 day review period and are intended to address and/or mitigate any issues of concern.

This document has been prepared by the California Montessori Project (CMP), lead agency to evaluate the potential environmental effect of the proposed Charter School Facility located southeast of Bradshaw Road and Elk Grove Boulevard on Assessor's Parcel Number (APN) 134-0110-078-000 and portions of APN's 134-0110-077-0000 and 134-0110-076-0000 in Elk Grove, Sacramento County, California.

Because this action is discretionary in nature, it is subject to the California Environmental Quality Act (CEQA). This document has been prepared to satisfy the requirements of the California Environmental Quality Act (CEQA) (Public Resources Code Section 21000 et seq.) and the CEQA Guidelines (California Code of Regulations, Title 14, Section 15000 et seq.).

PROJECT DESCRIPTION AND LOCATION

The planned construction for the California Montessori Project includes construction of three (3) new school buildings. The buildings include an 8,880 square foot multi-purpose and administration building, an 8,800 square foot Kindergarten and classroom 'B' building, and a 6,240 square foot classroom 'C' building. The proposed project will be built in one phase. The objective of this subject project is to build a new K-8 Charter School Facility for the California Montessori Project. The proposed project will serve approximately 350 students. The 10-acre parcel is also planned for some future portable building expansion. The facility will include surface parking, exterior hard courts, athletic fields, and a fire and pick-up/drop-off lane.



Currently, planned parking is provided in two locations. Twenty eight (28) staff parking spaces are provided along the south side of the project. Another ninety five (95) on-site parking spaces are located in the main drop-off loading area between the Bradshaw Road entrance and exit. A total of one hundred twenty three (123) parking spaces are planned.

The site is located in the city of Elk Grove. Electricity will be provided by SMUD and natural gas will be provided by PG&E. Elk Grove Water District will supply water and the project will utilize an on-site sewage system capable of supporting the intended schools usage. The project will include on-site parking sufficient for the needs of the proposed facility, as well as an on-site access road which allows entry to and exit from the site.

ENVIRONMENTAL DETERMINATION

An initial study was prepared to assess the potential effects of the California Montessori Project, and the respective significance of those effects. Based on the Environmental Checklist and the supporting environmental analysis provided in the document, completion of the proposed project would result in a less than significant impact for the following issues:

- | | |
|-----------------------------------|---------------------------------|
| i Aesthetics | i Public Services |
| i Agricultural Resources | i Population and Housing |
| i Hazards and Hazardous Materials | i Recreation |
| i Hydrology and Water Quality | i Utilities and Service Systems |
| i Land Use and Planning | i Greenhouse Gas Emissions |
| i Mineral Resources | |

Completion of the proposed project would result in less than significant impacts following implementation of prescribed mitigation for the following issues:

- | | |
|------------------------|--------------------------|
| i Air Quality | i Geology and Soils |
| i Biological Resources | i Noise |
| i Cultural Resources | i Transportation/Traffic |

DOCUMENTS AVAILABLE FOR REVIEW

The draft Mitigated Negative Declaration and Initial Study conducted for the proposed California Montessori Project was available for review at the following location:

California Montessori Project
5330A Gibbons Drive, Suite 700
Carmichael, Ca



PUBLIC REVIEW PERIOD

This proposed Initial Study/Mitigated Negative Declaration was available for a 30-day review period beginning April 30, 2012 and ending May 30, 2012. Written comments were to be submitted by 4:00 p.m. on May 30, 2012 to:

Robert Holmer, Principal Engineer
Neil O. Anderson and Associates
50 Goldenland Court, Suite 100
Sacramento, CA 95834

Comments were to be submitted by the same deadline by facsimile to (916) 928-4697. Comments could have also been submitted at the regular scheduled California Montessori Board Meeting, scheduled at 4:00 p.m. on May 30, 2012 at the California Montessori Project-Elk Grove Campus located at 8828 Elk Grove Blvd # 4 in Elk Grove, CA 95624.



CHANGES AND EDITS TO THE
INITIAL STUDY/MITIGATED NEGATIVE DECLARATION

Page 19

(Addition to Mitigation measure BR-1)

Plant surveys should be performed during the appropriate blooming periods for each species. Pre-construction surveys for wildlife and ground nesting birds should be conducted in accordance with CDFG.

Page 19

Addition of Mitigation Measure Biology-2 (BR-2)

The following measure will be implemented prior to construction:

The loss of Swainson's hawk foraging and/or nesting habitat shall be mitigated by participating in the City of Elk Grove Swainson's Hawk Impact Mitigation Fees Ordinance.



RESPONSE TO WRITTEN COMMENTS
INITIAL STUDY/MITIGATED NEGATIVE DECLARATION
CALIFORNIA MONTESSORI PROJECT CHARTER SCHOOL

Letter No. 1
California Regional Water Quality Control Board
May 11, 2012

Comment No. 1

Discharges whose project disturb one or more acres of soil or where projects disturb less than one acre, but are part of a larger common plan of development that in total disturbs one or more acres, are required to obtain coverage under General Permit for Storm Water Discharged Associated with Construction Activities. Construction activity subject to this permit includes clearing, grading, grubbing, disturbances to the ground such as stock piling, or excavation, but does not include regular maintenance activities performed to restore the original line, grade, or capacity of the facility. The Construction General Permit requires the development and implementation of a Storm Water Pollution Prevention Plan (SWPPP).

Response

Comment noted. As stated on page 33 of the Initial Study, a SWPPP will be prepared for this project. The project will comply with the terms and conditions of the NPDES, as approved by the State Water Resources Control Board under Section 402 of the Clean Water Act.

Letter No. 2
State of California Department of Fish and Game
May 17, 2012

Comment No. 1

The project will result in the permanent loss of 10 acres of foraging habitat for the State-listed Swainson's hawk (*Buteo swainsoni*). Mitigation Measure BR-1 of the MND (page 19) includes Pre-construction surveys for Swainson's hawk. However the DFG would like to see an additional mitigation measure BR-2 added to the MND. This measure would include the information provided in the MND, page 18 "...replacement of foraging habitat in the form of easements on off-site lands..." or "...compensatory habitat mitigation via the City of Elk Grove's Mitigation Program".

Response

Comment noted. Changes have been made in the MND.

Comment No. 2

The project site may contain habitat for other State-listed and/or fully protected species such as Western burrowing owl, tri-colored black bird, white-tailed kite as well as sensitive or listed plant species. Plant surveys should be performed during the appropriate blooming periods for each species. Pre-construction surveys for wildlife and ground nesting birds should also be added to the MND under the Mitigation Measures section.



Response

Comment noted. Changes have been made in the MND.

Letter No. 3

Department of Toxic Substances Control
May 23, 2012

Comment No. 1

If the Proponent plans to use State funds for the project, the the Proponent shall comply with the requirements of California Education Code, § 17213.1 and § 17213.2, unless otherwise specifically exempted under § 17268.

Response

Comment noted.

Comment No. 2

If past or present structures existed on the Site, then these structures may have resulted in potential environmental concerns at the Site due to lead from lead-based paint and/or organochlorine pesticides from termiticide applications. In addition, past or present electrical transformers may have resulted in potential environmental concerns at the Site due to polychlorinated biphenyls associated with oils used within older transformers. 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".

Response

Comment noted. As stated on page 28 of the Initial Study, there were two (2) Phase I Environmental Site Assessment Reports prepared for Elk Grove Montessori by Youngdahl Consulting Group, Inc. (Project Nos. E08352.001 & E08352.002, dated December 10, 2008 & October 19, 2011).

Comment No. 3

If the Site was previously used for agricultural purposes, pesticides (such as DDT, DDE, 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 Version), dated August 2008". This guidance should be followed to samples agricultural properties where development is anticipated.

Response

Comment noted. As stated on page 28 of the Initial Study, there were two (2) Phase I Environmental Site Assessment Reports prepared for Elk Grove Montessori by Youngdahl Consulting Group, Inc. (Project Nos. E08352.001 & E08352.002, dated December 10, 2008 & October 19, 2011).



Comment No. 4

If a response action is required at the Site based on the results of the above investigation, and/or other information, the Draft IS/MND 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 Draft IS/MND for the project. A discussion of the mitigation and/or removal actions, if necessary, and associated cumulative impacts to the Site and the surrounding environment, should be included in the Draft IS/MND. If sufficient information to discuss the proposed mitigation and/or removal actions, and their associated impacts to the Site and the surrounding environment, are not available for inclusion in the Draft IS/MND, then an Addendum or Supplement to the Draft IS/MND may be required.

Response
Comment noted.



**APPENDIX A:
COMMENT LETTERS**





EDMUND G. BROWN JR.
GOVERNOR

MATTHEW RODRIGUEZ
SECRETARY FOR
ENVIRONMENTAL PROTECTION

Central Valley Regional Water Quality Control Board

11 May 2012

Gary Bowman
California Montessori Project
5330A Gibbons Drive, Suite 700
Carmichael, CA 95608

CERTIFIED MAIL
7011 2970 0003 8939 5710

COMMENTS TO THE DRAFT MITIGATED NEGATIVE DECLARATION, CALIFORNIA MONTESSORI PROJECT CHARTER SCHOOL PROJECT, SCH NO. 2012042066, SACRAMENTO COUNTY

Pursuant to the State Clearinghouse's 30 April 2012 request, the Central Valley Regional Water Quality Control Board (Central Valley Water Board) has reviewed the *Draft Mitigated Negative Declaration* for the California Montessori Project Charter School Project, located in Sacramento County.

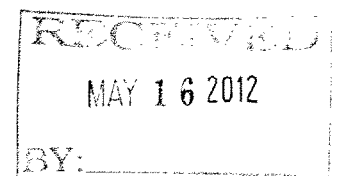
Our agency is delegated with the responsibility of protecting the quality of surface and groundwaters of the state; therefore our comments will address concerns surrounding those issues.

Construction Storm Water General Permit

Dischargers whose project disturb one or more acres of soil or where projects disturb less than one acre but are part of a larger common plan of development that in total disturbs one or more acres, are required to obtain coverage under the General Permit for Storm Water Discharges Associated with Construction Activities (Construction General Permit), Construction General Permit Order No. 2009-009-DWQ. Construction activity subject to this permit includes clearing, grading, grubbing, disturbances to the ground, such as stockpiling, or excavation, but does not include regular maintenance activities performed to restore the original line, grade, or capacity of the facility. The Construction General Permit requires the development and implementation of a Storm Water Pollution Prevention Plan (SWPPP).

For more information on the Construction General Permit, visit the State Water Resources Control Board website at:

http://www.waterboards.ca.gov/water_issues/programs/stormwater/constpermits.shtml.



KARL E. LONGLEY SCD, P.E., CHAIR | PAMELA C. CREEDON P.E., BOEE, EXECUTIVE OFFICER

11020 Sun Center Drive #200, Rancho Cordova, CA 95670 | www.waterboards.ca.gov/centralvalley

Phase I and II Municipal Separate Storm Sewer System (MS4) Permits¹

The Phase I and II MS4 permits require the Permittees reduce pollutants and runoff flows from new development and redevelopment using Best Management Practices (BMPs) to the maximum extent practicable (MEP). MS4 Permittees have their own development standards, also known as Low Impact Development (LID)/post-construction standards that include a hydromodification component. The MS4 permits also require specific design concepts for LID/post-construction BMPs in the early stages of a project during the entitlement and CEQA process and the development plan review process.

For more information on which Phase I MS4 Permit this project applies to, visit the Central Valley Water Board website at:

http://www.waterboards.ca.gov/centralvalley/water_issues/storm_water/municipal_permits/.

Industrial Storm Water General Permit

Storm water discharges associated with industrial sites must comply with the regulations contained in the Industrial Storm Water General Permit Order No. 97-03-DWQ.

For more information on the Industrial Storm Water General Permit, visit the Central Valley Water Board website at:

http://www.waterboards.ca.gov/centralvalley/water_issues/storm_water/industrial_general_permits/index.shtml.

Clean Water Act Section 404 Permit

If the project will involve the discharge of dredged or fill material in navigable waters or wetlands, a permit pursuant to Section 404 of the Clean Water Act may be needed from the United States Army Corps of Engineers (USACOE). If a Section 404 permit is required by the USACOE, the Central Valley Water Board will review the permit application to ensure that discharge will not violate water quality standards. If the project requires surface water drainage realignment, the applicant is advised to contact the Department of Fish and Game for information on Streambed Alteration Permit requirements.

If you have any questions regarding the Clean Water Act Section 404 permits, please contact the Regulatory Division of the Sacramento District of USACOE at (916) 557-5250.

Clean Water Act Section 401 Permit – Water Quality Certification

If an USACOE permit, or any other federal permit, is required for this project due to the disturbance of waters of the United States (such as streams and wetlands), then a Water Quality Certification must be obtained from the Central Valley Water Board prior to initiation of project activities. There are no waivers for 401 Water Quality Certifications.

¹ Municipal Permits = The Phase I Municipal Separate Storm Water System (MS4) Permit covers medium sized Municipalities (serving between 100,000 and 250,000 people) and large sized municipalities (serving over 250,000 people). The Phase II MS4 provides coverage for small municipalities, including non-traditional Small MS4s, which include military bases, public campuses, prisons and hospitals.

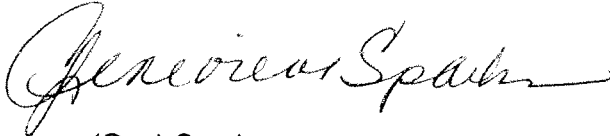
Waste Discharge Requirements

If USACOE determines that only non-jurisdictional waters of the State (i.e., "non-federal" waters of the State) are present in the proposed project area, the proposed project will require a Waste Discharge Requirement (WDR) permit to be issued by Central Valley Water Board. Under the California Porter-Cologne Water Quality Control Act, discharges to all waters of the State, including all wetlands and other waters of the State including, but not limited to, isolated wetlands, are subject to State regulation.

For more information on the Water Quality Certification and WDR processes, visit the Central Valley Water Board website at:

http://www.waterboards.ca.gov/centralvalley/help/business_help/permit2.shtml.

If you have questions regarding these comments, please contact me at (916) 464-4745 or gsparks@waterboards.ca.gov.

A handwritten signature in cursive script that reads "Genevieve Sparks". The signature is written in black ink and is positioned above the printed name and title.

Genevieve (Gen) Sparks
Environmental Scientist
401 Water Quality Certification Program

cc: State Clearinghouse Unit, Governor's Office of Planning and Research, Sacramento



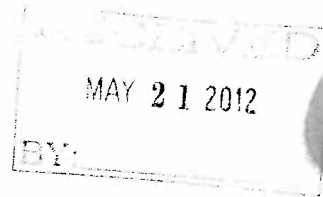
State of California -The Resources Agency
DEPARTMENT OF FISH AND GAME
1701 Nimbus Road, Suite A
Rancho Cordova, CA 95670
(916) 358-2900
<http://www.dfg.ca.gov>

EDMUND G. BROWN, Jr, Governor
CHARLTON H. BONHAM, Director



May 17, 2012

Gary Bowman
California Montessori Project
5330A Gibbons Drive, Suite 700
Carmichael, CA 95608



COPY

Dear Mr. Bowman:

The Department of Fish and Game (DFG) has reviewed the Draft Initial Study, Mitigated Negative Declaration (MND) for California Montessori Project Charter School (SCH 2012042066) (project), located on the east-side of Bradshaw Road, South of Elk Grove Blvd., in Elk Grove, Sacramento County. The project consists of the construction of (3) new school buildings. The buildings include (2) 8,800 sq. ft. buildings, and a 6,240 sq. ft. building, on a 10-acre parcel. In addition to the three main buildings proposed, the parcel will include surface parking, exterior hard courts, athletic fields, a fire lane, pick-up/drop off lane, and future portable building expansions.

The DFG appreciates the opportunity to provide comments. As trustee for the State's fish and wildlife resources, the DFG has jurisdiction over the conservation, protection and management of fish, wildlife, native plants, and habitat necessary for biologically sustainable populations of such species. In that capacity the DFG administers the California Endangered Species Act (CESA), the Native Plant Protection Act (NPPA), and other provisions of the California Fish and Game Code that affords protection to the State's fish and wildlife trust resources. The DFG also considers issues related to the Migratory Bird Treaty Act of 1918, as amended (16 U.S.C. 703-712) (MBTA). These comments are submitted under the DFG's authority as Trustee Agency with regard to the fish and wildlife of the State of California, designated rare or endangered native plants, game refuges, ecological reserves, and other areas administered by the DFG (CEQA Guidelines § 15386, subd. (a)).

The project will result in the permanent loss of 10 acres of foraging habitat for the State-listed Swainson's hawk (*Buteo swainsoni*). Mitigation Measure BR-1 of the MND (page 19) includes Pre-construction surveys for Swainson's hawk. However the DFG would like to see an additional mitigation measure BR-2 added to the MND. This measure would include the information provided in the MND, page 18 "... replacement of foraging habitat in the form of easements on off-site lands..." or "...compensatory habitat mitigation via the City of Elk Grove's Mitigation Program".

The project site may contain habitat for other State-listed and/or fully protected species such as Western burrowing owl, tri-colored black bird, white-tailed kite as well as sensitive or listed plant species. Plant surveys should be preformed during the appropriate blooming periods for each species. Pre-construction surveys for wildlife and ground nesting birds should also be added to the MND under the *Mitigation Measures* section.

Conserving California's Wildlife Since 1870

May 17, 2012

As described above, these projects may have an impact to fish and/or wildlife habitat. Assessment of fees under Public Resources Code Section 21089 and as defined by Fish and Game Code Section 711.4 may be necessary. Fees are payable by the project applicant upon filing of the Notice of Determination by the lead agency.

Thank you for the opportunity to review this project. If the DFG can be of further assistance regarding this letter please contact Amy Kennedy, Environmental Scientist, at akennedy@dfg.ca.gov or (916) 358-2842.

Sincerely,



Jeff Drongesen
Environmental Program Manager

ec: Amy Kennedy
Department of Fish and Game



Matt Rodriguez
Secretary for
Environmental Protection



Department of Toxic Substances Control

Deborah Raphael, Director
8800 Cal Center Drive
Sacramento, California 95826-3200



Edmund G. Brown Jr.
Governor

May 23, 2012

Mr. Robert Holmer
Principal Engineer
Neil O. Anderson and Associates
50 Goldland Court, Suite 100
Sacramento, CA 95834

REVIEW OF DRAFT INITIAL STUDY/ MITIGATED NEGATIVE DECLARATION,
CALIFORNIA MONTESSORI PROJECT CHARTER SCHOOL, ELK GROVE,
SACRAMENTO COUNTY (SCH# 2012042066).

Dear Mr. Holmer:

The Department of Toxic Substances Control (DTSC) has reviewed the Draft Initial Study/ Mitigated Negative Declaration (Draft IS/MND) for the California Montessori Project Charter School dated April 26, 2012. The due date to submit comments is May 30, 2012.

The California Montessori Project (Proponent) has proposed the construction of a new K-8 Charter School facility located on the east side of Bradshaw Road just south of Elk Grove Boulevard in the city of Elk Grove in Sacramento County (Site). The 10-acre parcel is planned for three (3) new permanent buildings with a provision for future portable building expansion. The facility will include surface parking, exterior hard courts, athletic fields, and a fire and pick-up/drop-off lane. The Site is undeveloped and currently used for grazing. Based on a review of the Draft IS/MND, DTSC would like to provide the following comments:

1. If the Proponent plans to use State funds for the project, then the Proponent shall comply with the requirements of California Education Code, § 17213.1 and § 17213.2, unless otherwise specifically exempted under § 17268.
2. If past or present structures existed on the Site, then these structures may have resulted in potential environmental concerns at the Site due to lead from lead-based paint and/or organochlorine pesticides from termiticide applications. In addition, past or present electrical transformers may have resulted in potential environmental concerns at the Site due to polychlorinated biphenyls associated

with oils used within older transformers. 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"*.

3. If the Site was previously used for agricultural purposes, pesticides (such as DDT, DDE, 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.
4. If a response action is required at the Site based on the results of the above investigations, and/or other information, the Draft IS/MND 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 Draft IS/MND for the project. A discussion of the mitigation and/or removal actions, if necessary, and associated cumulative impacts to the Site and the surrounding environment, should be included in the Draft IS/MND. If sufficient information to discuss the proposed mitigation and/or removal actions, and their associated impacts to the Site and the surrounding environment, are not available for inclusion in the Draft IS/MND, then an Addendum or Supplement to the Draft IS/MND may be required.

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.

Mr. Robert Holmer
May 23, 2012
Page | 3

For additional information on DTSC's Schools process or CLEAN Program, please visit DTSC's web site at 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 bduke@dtsc.ca.gov.

Sincerely,



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

cc: via e-mail

State Clearinghouse (State.clearinghouse@opr.ca.gov)
Office of Planning and Research

Michael O'Neill (Moneill@cde.ca.gov)
Department of Education – Sacramento, CA

Nancy Ritter (NRitter@dtsc.ca.gov)
DTSC CEQA Tracking Center – Sacramento HQ

School Reading File – Cal Center

CEQA Reading File – Chatsworth

**APPENDIX B:
NOTICING DOCUMENTATION**



**NOTICE OF INTENT TO ADOPT
A MITIGATED NEGATIVE DECLARATION**

for the

CALIFORNIA MONTESSORI PROJECT CHARTER SCHOOL
Sacramento County, California

ENDORSED
SACRAMENTO COUNTY
APR 30 2012
CRISTA J. KIRNER, CLERK/RECORDER
BY  DEPUTY

The California Montessori Project announces the availability of a Mitigated Negative Declaration considering development of the new K-8 Charter School Facility situated on the east side of Bradshaw Road just south of Elk Grove Blvd in Elk Grove, CA.

The California Montessori Project is proposing to construct a new K-8 Charter School Facility consisting of three (3) new school buildings totaling approximately 23,920 square feet in size. The proposed charter school is situated on the east side of Bradshaw Road just south of Elk Grove Boulevard in Elk Grove, California. The proposed development will cover approximately 10.0 acres. The proposed campus will be located on Sacramento County Assessor's Parcel Number (APN) is 134-0110-078-000 and portions of APN's 134-0110-077-0000 and 134-0110-076-0000. The site is located within Section 4 of Township 6 North, Range 6 East of the Elk Grove Quadrangle, Mount Diablo Base and Meridian.

The California Montessori Project has reviewed the proposed project and determined that there are no significant environmental effects associated with this project. The proposed Mitigated Negative Declaration has been prepared pursuant to Title 14, Chapter 3, Section 15070 of the California Code of Regulations.

The comment period opens on April 30, 2012 and closes on May 30, 2012. All comments must be received by 4:00 PM on May 30, 2012.

Please send your comments to the following:

Robert Holmer, Principal Engineer
Neil O. Anderson and Associates
50 Goldenland Court, Suite 100
Sacramento, Ca 95834

Comments may be submitted by the same deadline by facsimile to: (916) 928-4697. Please provide your name and an address or telephone number where you may be contacted. Comments may also be provided at the public hearing on the project, scheduled for 4:00 p.m. on May 30, 2012 at the California Montessori Project-Elk Grove Campus located at 8828 Elk Grove Blvd # 4 in Elk Grove, CA 95624.

The proposed Mitigated Negative Declaration and related documents will be available for review at the following locations:

California Montessori Project
Administration Office
5330A Gibbons Drive, Suite 700
Carmichael, CA 95608


Gary Bowman
Project Manager
California Montessori Project

2012042066

Notice of Completion & Environmental Document Transmittal

Mail to: State Clearinghouse, P.O. Box 3044, Sacramento, CA 95812-3044 (916) 445-0613
 For Hand Delivery/Street Address: 1400 Tenth Street, Sacramento, CA 95814

SCH #

Project Title: California Montessori Project Charter School**Lead Agency:** California Montessori Project**Contact Person:** Gary Bowman**Mailing Address:** 5330A Gibbons Drive, Suite 700**Phone:** 916-971-2430**City:** Carmichael**Zip:** 95608**County:** Sacramento**Project Location:** County: Sacramento

City/Nearest Community: Elk Grove

Cross Streets: Elk Grove Blvd. & Bradshaw Road

Zip Code: 95624

Longitude/Latitude (degrees, minutes and seconds): 38 ° 24 ' 26.1 " N / 121 ° 20 ' 1.13 " W Total Acres: 10.0

Assessor's Parcel No.: 134-0110-078-000

Section: 4

Twp.: 6N

Range: 6E

Base: MDBM

Within 2 Miles: State Hwy #: 99

Waterways:

Airports: Elk Grove Airport

Railways: Yes

Schools: Katherine L. Albani M.S.

Document Type:CEQA: ☐ NOP☐ Early Cons☐ Neg Dec☒ Mit Neg Dec☐ Draft EIR☐ Supplement/Subsequent EIR

(Prior SCH No.)

Other:

NEPA: ☐ NOI☐ EAOther: ☐ Joint Document☐ Final Document☐ Other:**Local Action Type:**☐ General Plan Update☐ General Plan Amendment☐ General Plan Element☐ Community Plan☐ Specific Plan☐ Master Plan☐ Planned Unit Development☐ Site Plan☐ Rezone☐ Prezone☐ Use Permit☐ Land Division (Subdivision, etc.)☐ Annexation☐ Redevelopment☐ Coastal Permit☒ Other: Charter School**Development Type:**☐ Residential: Units _____ Acres _____☐ Office: Sq.ft. _____ Acres _____ Employees _____☐ Commercial: Sq.ft. _____ Acres _____ Employees _____☐ Industrial: Sq.ft. _____ Acres _____ Employees _____☒ Educational: 3 new school building totaling 23,920 sq. ft.☐ Recreational:☐ Water Facilities: Type _____ MGD _____☐ Transportation: Type _____☐ Mining: Mineral _____☐ Power: Type _____ MW _____☐ Waste Treatment: Type _____ MGD _____☐ Hazardous Waste: Type _____☐ Other:**Project Issues Discussed in Document:**☒ Aesthetic/Visual☒ Agricultural Land☒ Air Quality☒ Archeological/Historical☒ Biological Resources☐ Coastal Zone☐ Drainage/Absorption☐ Economic/Jobs☐ Fiscal☒ Flood Plain/Flooding☐ Forest Land/Fire Hazard☒ Geologic/Seismic☐ Minerals☒ Noise☐ Population/Housing Balance☒ Public Services/Facilities☐ Recreation/Parks☐ Schools/Universities☒ Septic Systems☒ Sewer Capacity☒ Soil Erosion/Compaction/Grading☒ Solid Waste☒ Toxic/Hazardous☒ Traffic/Circulation☐ Vegetation☐ Water Quality☒ Water Supply/Groundwater☒ Wetland/Riparian☐ Growth Inducement☒ Land Use☐ Cumulative Effects☐ Other:**Present Land Use/Zoning/General Plan Designation:**

The site is currently vacant land. City zoning is 'Special Planning Area (SPA)' designated as Elk Grove Triangle Policy Area

Project Description: (please use a separate page if necessary)

The planned construction for the California Montessori Project includes construction of three (3) new school buildings. The buildings include an 8,880 square foot multi-purpose and administration building, an 8,800 square foot Kindergarten and classroom 'B' building, and a 6,240 square foot classroom 'C' building. The proposed project will be built in one phase. The objective of this subject project is to build a new K-8 Charter School Facility for the California Montessori Project. The proposed project will serve approximately 350 students. The 10-acre parcel is also planned for some future portable building expansion. The facility will include surface parking, exterior hard courts, athletic fields, and a fire and pick-up/drop-off lane.

Note: The State Clearinghouse will assign identification numbers for all new projects. If a SCH number already exists for a project (e.g. Notice of Preparation or previous draft document) please fill in.

Reviewing Agencies Checklist

Lead Agencies may recommend State Clearinghouse distribution by marking agencies below with and "X".
If you have already sent your document to the agency please denote that with an "S".

<input type="checkbox"/> Air Resources Board	<input type="checkbox"/> Office of Historic Preservation
<input type="checkbox"/> Boating & Waterways, Department of	<input type="checkbox"/> Office of Public School Construction
<input type="checkbox"/> California Emergency Management Agency	<input type="checkbox"/> Parks & Recreation, Department of
<input type="checkbox"/> California Highway Patrol	<input type="checkbox"/> Pesticide Regulation, Department of
<input type="checkbox"/> Caltrans District # _____	<input type="checkbox"/> Public Utilities Commission
<input type="checkbox"/> Caltrans Division of Aeronautics	<input type="checkbox"/> Regional WQCB # _____
<input type="checkbox"/> Caltrans Planning	<input type="checkbox"/> Resources Agency
<input type="checkbox"/> Central Valley Flood Protection Board	<input type="checkbox"/> Resources Recycling and Recovery, Department of
<input type="checkbox"/> Coachella Valley Mtns. Conservancy	<input type="checkbox"/> S.F. Bay Conservation & Development Comm.
<input type="checkbox"/> Coastal Commission	<input type="checkbox"/> San Gabriel & Lower L.A. Rivers & Mtns. Conservancy
<input type="checkbox"/> Colorado River Board	<input type="checkbox"/> San Joaquin River Conservancy
<input type="checkbox"/> Conservation, Department of	<input type="checkbox"/> Santa Monica Mtns. Conservancy
<input type="checkbox"/> Corrections, Department of	<input type="checkbox"/> State Lands Commission
<input type="checkbox"/> Delta Protection Commission	<input type="checkbox"/> SWRCB: Clean Water Grants
<input checked="" type="checkbox"/> Education, Department of	<input type="checkbox"/> SWRCB: Water Quality
<input type="checkbox"/> Energy Commission	<input type="checkbox"/> SWRCB: Water Rights
<input type="checkbox"/> Fish & Game Region # _____	<input type="checkbox"/> Tahoe Regional Planning Agency
<input type="checkbox"/> Food & Agriculture, Department of	<input checked="" type="checkbox"/> Toxic Substances Control, Department of
<input type="checkbox"/> Forestry and Fire Protection, Department of	<input type="checkbox"/> Water Resources, Department of
<input type="checkbox"/> General Services, Department of	
<input type="checkbox"/> Health Services, Department of	<input type="checkbox"/> Other: _____
<input type="checkbox"/> Housing & Community Development	<input type="checkbox"/> Other: _____
<input type="checkbox"/> Native American Heritage Commission	

Local Public Review Period (to be filled in by lead agency)

Starting Date April 30, 2012

Ending Date May 30, 2012

Lead Agency (Complete if applicable):

Consulting Firm: Neil O. Anderson & Associates
Address: 50 Goldenland Court, Suite 100
City/State/Zip: Sacramento, Ca 95834
Contact: Robert Holmer
Phone: 916-928-4690

Applicant: California Montessori Project
Address: 5330A Gibbons Drive, Suite 700
City/State/Zip: Carmichael, Ca, 95608
Phone: 916-971-2430

Signature of Lead Agency Representative: *Gary Bowman*

Date: 4/27/12

Authority cited: Section 21083, Public Resources Code. Reference: Section 21161, Public Resources Code.

County of SACRAMENTO

I, DAVID R. HERBURGER, certify on penalty of perjury:

PUBLIC NOTICE

PUBLIC NOTICE

The California Montessori Project (CMP) will consider adoption of the Mitigated Negative Declaration for the new development of the new K-8 School Facility. Comments may be provided at the public hearing on the project, scheduled at 4:00 p.m. on May 30, 2012 at the California Montessori Project - Elk Grove Campus located at 8828 Elk Grove Blvd #4 in Elk Grove, CA 95624.

The proposed Mitigated Negative Declaration will be made available for a 30-day review period from April 30, 2012 to May 30, 2012. Comments received by the CMP during the public review period will be considered as a part of its deliberation regarding adoption of the Mitigated Negative Declaration. A copy of the proposed Mitigated Negative Declaration and related documents may be reviewed at the CMP Administration Office located at 5330A Gibbons Drive, Suite 700 in Carmichael, during normal business hours. Telephone number 916-971-2430.

For further information contact: Rob Holmer, Project Manager, at 50 Goldenland Court Suite 100, Sacramento, California 95834. Telephone number (916) 928-4690.

May 4, 2012

EGF 1055

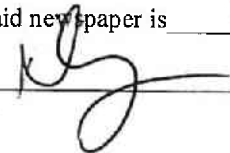
That affiant is and at all times hereinafter mentioned was a citizen of the United States, over the age of eighteen years and was at and during all said times the printer and publisher of THE ELK GROVE CITIZEN, a newspaper published in Elk Grove, County of Sacramento, State of California; that said newspaper is and was at all times herein mentioned, a newspaper of general circulation as that term is defined by Sections 6000 and 6001 of the Government Code of the State of California, and as provided by said sections is and was at all times herein mentioned published for the dissemination of local and telegraphic news and intelligence of a general character, having a bona fide subscription list of paying subscribers, and is not and was not during all said times devoted to the interests or published for the entertainment or instruction of a particular class, profession, trade, calling, race or denomination, or for the entertainment and instruction of any number of such classes, professions, trades, callings, races or denominations; that at all said times said newspaper has been established, printed and published in said Sacramento County and State, at regular intervals for more than one year preceding the first publication of the NOTICE herein mentioned; that said NOTICE was set in type not smaller than nonpareil and was preceded with words printed in black face type not smaller than nonpareil describing and expressing in general terms the purport and character of the notice intended to be given; that the NOTICE in the above entitled matter, of which the annexed is a true printed copy, was published in said newspaper on the following dates, to wit:

MAY 4, 2012

that the date of the first publication of said

PUBLIC NOTICE

in said newspaper is MAY 4, 2012



DAVID R. HERBURGER

THE ELK GROVE CITIZEN

Dated: MAY 4, 2012

APPENDIX C:
MITIGATION MONITORING AND REPORTING PROGRAM



**MITIGATION MONITORING AND REPORTING PROGRAM
CALIFORNIA MONTESSORI PROJECT CHARTER SCHOOL**

June 2012

Prepared for:

*California Montessori Project
5330A Gibbons Drive Suite 700, Carmichael, CA 95608
Contact: Phil Hendrix, Project Supervisor
(530) 870-6933*

Prepared by:

*Neil O. Anderson & Associates, Inc.
50 Goldenland Court, Suite 100
Sacramento, CA 95834*

MITIGATION MONITORING AND REPORTING PROGRAM

INTRODUCTION

The California Environmental Quality Act (CEQA Section 21081.6(a)(1) of the Public Resources Code requires public agencies, as part of the certification of an Environmental Impact Report (EIR) or Mitigated Negative Declaration (MND), to prepare and approve a reporting or monitoring program. This program should be structured to ensure that changes to the project that the California Montessori Project (CMP) has adopted to mitigate or avoid significant environmental impacts are carried out during project implementation.

The Mitigation Monitoring and Reporting Program (MMRP) contained herein is intended to satisfy the requirements of CEQA as they relate to the California Montessori Project Charter School (IS)/Mitigated Negative Declaration (MND). The MMRP is intended to be used by the CMP staff and/or project mitigation monitoring agent(s) under hire to the CMP, participating agencies, and mitigation monitoring personnel during construction and implementation of the project. The intent of the MMRP is to ensure the effective implementation and enforcement of adopted mitigation measures. The MMRP will consist of the following components:

COMPLIANCE CHECKLIST

Table 1 contains a compliance monitoring checklist that provides a synopsis of all adopted mitigation measures, the entity responsible for their implementation, the entity responsible for monitoring, and the timing of implementation. All the mitigation measures presented in **Table 1** will be incorporated into the proposed project.

IMPLEMENTATION AND MONITORING OF MITIGATION MEASURES

Since the mitigation measures will be incorporated into the project, implementation and monitoring of mitigation measures will occur at various stages of implementation of the project, which may include, but are not limited to, the following:

- Implementation of development and design standards, guidelines, and programs for the proposed project.
- Reviewing construction plans and equipment staging/access plans to ensure conformance with adopted mitigation measures.
- Grading, site preparation; and construction of the proposed project.
- On-site, day-to-day monitoring of construction activities.

- Ensuring contractor knowledge of and compliance with all appropriate permit conditions and the MMRP.
- Verifying the accuracy and adequacy of contract working.
- Having the authority to require correction of activities that violate project permit conditions or mitigation measures.
- Acting in the role of contact for property owners or any other affected personnel who wish to register observations of violations of project permit conditions or mitigation. Upon receiving any complaints, the inspector shall immediately contact the construction representative. The inspector shall be responsible for verifying any such observations and for developing any necessary corrective actions in consultation with the construction representative of Sacramento County and the City of Elk Grove.
- Obtaining assistance as necessary from technical experts such as archaeologists in order to develop site-specific procedures for implementing the mitigation measures.
- Maintaining a log of all significant interactions, violations of permit conditions or mitigation measures, and necessary corrective measures.

Responsibility of implementation and monitoring of mitigation measures will typically reside with CMP staff and/or project mitigation monitoring agent(s) under hire to the CMP as described in **Table 1**.

TABLE 1
MITIGATION MONITORING PROGRAM

Mitigation Measure	Implementing Responsibility	Monitoring Responsibility	Compliance Standards	Timing	Verification of Compliance (Initials and Date)
AIR QUALITY Mitigation Measure Air-1 The following dust control measures will be implemented during construction: <ul style="list-style-type: none"> All disturbed areas, including storage piles, which are not being actively utilized for construction purposes, shall be effectively stabilized of dust emissions using water, chemical stabilizer/suppressant, covered with a tarp or other suitable cover or vegetative ground cover. All on-site unpaved roads and off-site unpaved access roads shall be effectively stabilized of dust emissions using water or chemical stabilizer/suppressant. All land clearing, grubbing, scraping, excavation, land leveling, grading, cut and fill, and demolition activities shall be effectively controlled for fugitive dust emissions by utilizing application of water or by pre-soaking. When materials are transported off-site, all material shall be covered, or effectively wetted to limit visible dust emissions, and at least six inches of freeboard space from the top of the container shall be maintained. 	California Montessori Project or designee.	California Montessori Project	Verification of compliance with measures. Periodic site inspection to ensure mitigation measures are being applied.	During construction.	

Mitigation Measure	Implementing Responsibility	Monitoring Responsibility	Compliance Standards	Timing	Verification of Compliance (Initials and Date)
<ul style="list-style-type: none"> • All operations shall limit or expeditiously remove the accumulation of mud or dirt from adjacent public streets at the end of each workday. The use of dry rotary brushes is expressly prohibited except where preceded or accompanied by sufficient wetting to limit the visible dust emissions. Use of blower devices is expressly forbidden. • Following the addition of materials to or the removal of materials from the surface of outdoor storage piles, said piles shall be effectively stabilized for fugitive dust emissions utilizing sufficient water or chemical stabilizer/suppressant. • Within urban areas, trackout shall be immediately removed when it extends 50 or more feet from the site and at the end of each workday. • Any site with 150 or more vehicle trips per day shall prevent carryout and trackout. • Limit traffic speeds on unpaved roads to 15 mph; and • Install sandbags or other erosion control measures to prevent silt runoff to public roadways from sites with a slope greater than one percent. 					

Mitigation Measure	Implementing Responsibility	Monitoring Responsibility	Compliance Standards	Timing	Verification of Compliance (Initials and Date)
Mitigation Measure Air-2 <ul style="list-style-type: none"> • Bike racks will be located on the campus. • Recycling bins will be located on the campus. • The building design will be energy efficient and have energy efficient lighting. 					
BIOLOGICAL RESOURCES Mitigation Measure BR-1 <p>Pre-construction surveys for nesting Swainson's hawks within 0.5 miles of the site should be conducted if construction commences between March 1 and September 15. The survey should include all large trees visible from the site. If active nests are found, a qualified biologist should determine the need (if any) for temporal restrictions on construction. The determination should be pursuant to criteria set forth by CDFG.</p> <p>Plant surveys should be performed during the appropriate blooming periods for each species. Pre-construction surveys for wildlife and ground nesting birds should be conducted in accordance with CDFG.</p> Mitigation Measure BR-2 <p>The loss of Swainson's hawk foraging and/or nesting habitat shall be mitigated by participating in the City of Elk Grove Swainson's Hawk Impact Mitigation Fees Ordinance.</p>	California Montessori Project or designee.	California Montessori Project or designee.	Verification of contract wording on construction plans. Verification of compliance with measures. Periodic site inspection to ensure mitigation measures are being applied.	Prior to site construction and during construction.	

Mitigation Measure	Implementing Responsibility	Monitoring Responsibility	Compliance Standards	Timing	Verification of Compliance (Initials and Date)
CULTURAL RESOURCES					
Mitigation Measure Cultural Resources-1 In the event that any prehistoric or historic subsurface cultural resources are discovered during ground disturbing activities, all work within 50 feet of the resources shall be halted and the California Montessori Project (or its representative) shall consult with a qualified archaeologist or paleontologist to assess the significance of the find. If any find is determined to be significant, the California Montessori Project (or its representative) and the archaeologist and/or paleontologist would meet to determine the appropriate avoidance measures. All significant cultural materials recovered shall be subject to scientific analysis, professional museum curation, and a report prepared by the qualified archaeologist according to current professional standards. If the discovery includes human remains, CEQA Guidelines Section 15064.5 (e)(1) and (e)(2) shall be followed, which are as follows: (e) In the event of the accidental discovery or recognition of any human remains in any location other than a dedicated cemetery, the following steps should be taken: (1) There shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent human remains until:	California Montessori Project or designee.	California Montessori Project or designee in coordination with County Coroner and Native American Heritage Commission.	Verification of contract wording on construction plans. Verification of compliance with measures. Periodic site inspection to ensure mitigation measures are being applied.	Prior to site construction and during construction.	

Mitigation Measure	Implementing Responsibility	Monitoring Responsibility	Compliance Standards	Timing	Verification of Compliance (Initials and Date)
<p>(A) The coroner of the county in which the remains are discovered must be contacted to determine that no investigation of the cause of death is required, and</p> <p>(B) If the coroner determines the remains to be Native American:</p> <ol style="list-style-type: none"> 1. The coroner shall contact the Native American Heritage Commission with 24 hours. 2. The Native American Heritage Commission shall identify the person or persons it believes to be the most likely descended from the deceased Native American. 3. The most likely descendent may make recommendations to the land owner or the person responsible for the excavation work, for means of treating or disposing of, with appropriate dignity, the human remains and any associated grave goods as provided in Public Resources Code Section 5097.98, or <p>(2) Where the following conditions occur, the landowner or his authorized representative shall rebury the Native American human remains and associated grave goods with appropriate dignity on the property in a location not subject to further subsurface disturbance.</p> <p>(A) The Native American Heritage Commission is unable to identify a most likely descendent or the most likely descendent failed to make a recommendation within 24 hours after being notified by the commission.</p>					

Mitigation Measure	Implementing Responsibility	Monitoring Responsibility	Compliance Standards	Timing	Verification of Compliance (Initials and Date)
(B) The descendant identified fails to make a recommendation; or the landowner or his authorized representative rejects the recommendation of the descendant, and the mediation by the Native American Heritage Commission fails to provide measures acceptable to the landowner.					
GEOLOGY					
Mitigation Measure Geology -1 In the event that significant wind erosion of soil is observed during construction activities, the soil surface shall be sufficiently wetted to minimize dust generation.	California Montessori Project or designee.	California Montessori Project	Verification of compliance with measures. Periodic site inspection to ensure mitigation measures are being applied.	During construction.	
Mitigation Measure Geology -2 The Geotechnical Report includes mitigation measures in the recommendations section of the report in order to reduce soil expansion risks. Mitigation Measures suggested in the project Geotechnical Report will be followed.					
NOISE					
Mitigation Measure Noise-1 The California Montessori Project shall ensure that the construction contractor implements the following noise reducing measures: <ul style="list-style-type: none"> • All equipment shall have sound-control devices no less effective than those provided by the manufacturer. All equipment shall have muffled exhaust pipes. • Stationary noise sources shall be located as far from sensitive receptors as possible. 	California Montessori Project or designee.	California Montessori Project	Verification of compliance with measures. Periodic site inspections to ensure mitigation measures are being applied.	Prior to and during construction.	

Mitigation Measure	Implementing Responsibility	Monitoring Responsibility	Compliance Standards	Timing	Verification of Compliance (Initials and Date)
TRAFFIC					
Mitigation Measure Traffic-1 The California Montessori Project shall widen the intersection to add an eastbound right turn lane.	California Montessori Project or designee.	California Montessori Project	Verification of compliance with measures. Periodic site inspections to ensure mitigation measures are being applied.	Prior to and during construction.	
Mitigation Measure Traffic-2 The California Montessori Project shall need to work with the City of Elk Grove to implement an applicable package of school zone signing and parking controls to minimize on-street parking, as has been done with other Elk Grove schools.					
Mitigation Measure Traffic-3 The California Montessori Project shall develop and implement a traffic management plan for the school's entrance which directs incoming traffic to applicable loading and parking areas and minimizes delays at the school entrance. The traffic management plan may include signing, printed information instructing parents about the plans, and/or school staff directing traffic at peak times. The school shall monitor the operation of the entrance and adjust the traffic management plan as needed.					
Mitigation Measure Traffic-4 The California Montessori Project shall need to work with the City of Elk Grove to implement an applicable package of school zone signing and parking controls to minimize pedestrian / automobile conflicts in this area, as has been done with other Elk Grove schools.					