



Scotts Valley Unified School District

Penny Weaver, Superintendent

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Dear SVUSD Families, Staff and Community Members,

“Beetle mania” – the endangered Mt. Hermon June beetle, that is – is a headline in the District’s Scotts Valley Middle School (SVMS) project update today. You may have seen recent news posted on the Santa Cruz Sentinel website and printed in the Monday edition. Although I did not speak with the reporter Ms. Gumz, she did capture the facts of the story from the brief information I have written in the agenda items for today’s Board of Trustees meeting. Board meeting materials were posted for public viewing on Friday, Oct. 9 via the District’s website. The link is provided at the end of this document for your convenience in bookmarking and returning to view for subsequent Board meetings.

I offer more detailed information below as we continue to keep you posted through each step of the process. We are now in our eighth month of environmental study work required by CEQA (California Environmental Quality Act). This work must be accomplished before the District can receive approval from the state on building plans, begin site work, demolition and construction. Keep in mind that SVMS is located in the Santa Cruz Mountains where habitat for endangered plant and wildlife species is present. Public agency construction projects are more heavily regulated than residential and commercial projects in many areas. Our professional team of architects, builder and consultants, along with the District’s core project team, remain committed to completing the rebuilding of SVMS in a timely and responsible manner.

We are receiving many messages which are mostly encouraging and pledges of support. Thank you for those. This is a collaborative project and we need to move forward with our best thinking together. I regret that I will not be able to answer each one personally as that effort will likely not be the most efficient use of time available. I also do not respond to ongoing discussion threads on social media sites as well. Our web pages and Facebook page are intended to disseminate information and these are our main tools for mass communications. We also utilize email through our student information system to keep SVUSD families informed.

As a larger organization in the community, we are organized to collaborate with you when we hold meetings such as our Community Forums. We will be scheduling another evening Forum where we have time set aside for questions and comments. We will notify you of the date, time and location.

The update below addresses most of the questions articulated in the letters. We continue to make excellent progress on the project given all the steps required for public school construction. If you would like to invest the time to learn more, take a look at the resources at the end of this update and plan to attend the next SVMS Project Forum.

The Headlines

Mt. Hermon June beetle potential habitat at Scotts Valley Middle School was confirmed by the District's consultants two weeks ago as part of the District's environmental review process en route to rebuilding the campus.

This is not a "stop work order." More work must be completed to address requirements. Scotts Valley Middle School is located in an area with endangered plant and insect species. The initial anticipation of completing environmental review with a "mitigated negative declaration" (acknowledging that some habitat is present and will not be further disturbed due to our project) is now not possible.

Analysis is underway with the District's professional team of architects and builder to **restructure the project schedule** and **continue the progress**. We'll keep you posted as to the impact of the previously scheduled start of Phase I demolition and construction in June 2016.

Next steps include developing a habitat conservation plan (HCP) and application for a federal permit to "take" habitat. Board of Trustees considers contract for services on Oct. 13. Our next update will provide information from our professional team regarding our project schedule and phasing. Architect drawings and completion of the various studies will lead to our first submission to DSA (Department of State Architecture) for approval. A representative from the California Department of Education, School Facilities contacted the District following the news story about the June beetle and will be meeting with the District's core team next week to assist. We are pleased that the State is monitoring our progress and extending expert assistance with our challenges.

The Full Story

CEQA, or the California Environmental Quality Act, is a statute that requires State and local agencies to identify the significant environmental impacts of their actions and to avoid or mitigate those impacts, if feasible. This process is carried out through environmental review which is a set of procedures used to identify a project's potential impacts, develop ways to reduce those impacts,

and report the results of the analysis to the public. Our environmental review process began months ago as we began the site planning process and has included:

- Review of biological resources (trees) accomplished via an arborist survey documenting the size and species of trees;
- Review of hazards and hazardous materials;
- Review of Historic resources (archaeological resources);
- Noise study during the last weeks of 2014-2015 with school in session;
- Traffic study during the last weeks of 2014-2015 with school in session;
- Water quality, transportation and air quality are also under review.

The initial survey identified areas of potential habitat for the Mt. Hermon June beetle during the biological review. The finding of potential habitat for the endangered beetle throughout the 8.4 acre campus by the entomology consultant will likely significantly affect our current schedule and our plans for the building plan submittals to DSA (Department of State Architecture). The projected impact is that we are told this application approval process will take a minimum of a year from the time of application, and we cannot disturb any soil until we get this permit.

Our team is now considering the most effective path forward given the plan to begin demolition and construction in June 2016. We are evaluating what parts of the project we can reasonably move forward with while we work with due diligence on the HCP and mitigation plan. This is not a “stop work” order, rather we are slowing our accelerated pace to rework our project schedule with the professional team of architects and builder. We will keep you posted with updates like this one.

Staff are advised that the District must submit an application to the U.S. Department of Fish and Wildlife to approve a mitigation proposal to include procuring credits to provide off-site habitat to offset all soil disturbance to habitat on our site. The District will need assistance with preparation of an application package for an incidental take permit (ITP) from the U.S. Fish & Wildlife Service for the project. A proposal for services is submitted for the Board’s consideration at the regular Board of Trustees meeting on October 13, 2015. The scope of services includes a completed permit application (Form 3-200-56 from USFWS), the Habitat Conservation Plan (HCP) anticipated to be low-effect, and ancillary documents. The aspect of the District securing “take credits” from a “take bank” may be subject to negotiations and will not be part of our updates until the work is completed.

Background on Environmental Studies Required to Rebuild SVMS

CEQA is a self-executing statute. Public agencies are entrusted with compliance with CEQA and its provisions are enforced, as necessary, by the public through litigation and the threat thereof. CEQA guidelines are found in the California Code of Regulations, in Chapter 3 of Title 14. The Guidelines provide objectives, criteria and procedures for the orderly evaluation of projects and

the preparation of environmental impact reports, negative declarations, and mitigated negative declarations by public agencies. – source: <http://resources.ca.gov/ceqa/more/faq.html>

A contract with David J. Powers & Associates, Inc. for environmental services as required under CEQA analysis for the reconstruction of Scotts Valley Middle School was recommended by staff and approved by the Board of Trustees in March 2015. Based on the Consultants' experience with similar projects, it was anticipated that our project would qualify for a mitigated negative declaration under CEQA. A scope amendment to the contract was approved by the Board May 26, 2015 to include analysis of underground archaeological resources. Board Members received correspondence from a community member regarding concern for potential habitat for endangered species, most notably the Mt. Herman June beetle. An additional scope was approved by staff within the current consultant contract fee limits and an initial study to analyze potential project impacts was prepared.

Resources

Excellent Chart of the California Public School Construction Process:

<http://www.documents.dgs.ca.gov/opsc/PREWG/Flowchart.pdf>

Overview of State School Facility Programs and School Facility Program Guide:

<http://www.dgs.ca.gov/opsc/Resources/guides.aspx>

A summary of the California Environmental Quality Act (CEQA):

<https://www.wildlife.ca.gov/Conservation/CEQA/Purpose>

Review Board meeting agendas and all material for agenda items here:

<http://www.scottsvalleyusd.org/boe-agenda>



Mt. Herman June Beetle

Read more at: <http://www.zayantesandhills.com/june.html>

Sincerely,

Penny Weaver, Superintendent