



# Conejo Recreation & Park District

**GENERAL MANAGER**  
Jim Friedl

**BOARD OF DIRECTORS**  
George M. Lange, Chair  
Doug Nickles, Vice-Chair  
Chuck Huffer, Director  
Nellie Cusworth, Director  
Marissa Buss, Director

**DATE:** September 5, 2024

**TO:** Board of Directors

**FROM:** Jim Friedl, General Manager

**SUBJECT:** Adopt Resolution 090524-A Finding and Determining that the Borchard Community Park Skatepark Replacement Project is categorically exempt from the California Environmental Quality Act (CEQA).

**GENERAL MANAGER EMERITUS**  
Tex Ward

## RECOMMENDATION

Adopt Resolution 090524-A Finding and Determining that the Borchard Community Park Skatepark Replacement Project is categorically exempt from the California Environmental Quality Act (CEQA).

## BACKGROUND

The Borchard Community Park Skatepark Replacement Project consists of the demolition of an existing 10,000-square-foot skatepark facility and existing parking area to construct a renovated 20,000-square-foot skatepark facility. Project improvements include (4) 50-foot-tall LED light poles, (4) shade structures, covered picnic area, bench spectator seating, fencing, landscaping and hardscaping at the existing 29-acre Borchard Community Park – see attached plans.

Skatepark detailed project plans are available for Board and public review at [www.crpdp.org/skatepark](http://www.crpdp.org/skatepark).

Project plans can be found at:

## CEQA COMPLIANCE

<https://www.crpdp.org/borchard-skatepark-expansion-renovation-project>

For the Board consideration and approval, District staff in consultation with the District's environmental consultant believe the project improvements at Borchard Community Park Skatepark qualify for a Class 1 Categorical Exemption, pursuant to Section 15301 of the CEQA Guidelines. Class 1 exemptions include the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of existing or former use. As a Districtwide special facility, the existing skate park will be replaced to meet current industry and recreational standards to provide continued community use prior to disrepair. Staff

## ADMINISTRATIVE OFFICES

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has also conferred with our environmental consultant, Envicom and has included a memo further describing this finding – see attached.

### **STRATEGIC PLAN COMPLIANCE**

Meets 2024 Strategic Plan Goal 2.3: Maintain the 10-Year Capital Improvement Plan. Regularly update the 10-Year Capital Improvement Plan to prioritize projects and effectively plan and allocate future resources. As capital funding allows, execute, implement, and develop projects each year in accordance with the plan. Update the plan every two years as part of the budget process.

Respectfully submitted by,



Andrew J. Mooney, Director  
Parks and Planning

## **Resolution 090524-A**

### **A Resolution of the Board of Directors of the Conejo Recreation and Park District Finding and Determining that the Borchard Community Park Skatepark Replacement Project is categorically exempt from the California Environmental Quality Act**

WHEREAS, in 1969, the Borchard Community Park property was acquired by the Conejo Recreation and Park District; and

WHEREAS, in 1972, the Borchard Community Park property was developed by the Conejo Recreation and Park District; and

WHEREAS, from 1972 through 2004, Borchard Community Park property development included a community center building with a gymnasium and various class and meeting rooms, field restrooms and snack bar, (3) lighted softball fields, (4) lighted tennis, (2) sand volleyball and (1) basketball courts, lighted walking paths, soccer field, (2) playgrounds, picnic areas, and (3) lighted parking lots. The existing skatepark was developed in 2002; and

WHEREAS, from 1972 through the present, the Borchard Community Park and Center has held operational hours from 7am to 10pm, which includes lighted night activities throughout the park and center within the site's various amenities listed above; and

WHEREAS, in May 2019, the District solicited interest from the public to form a focus group and provide feedback and input towards the Borchard Community Park Skatepark Replacement Project; and

WHEREAS, from 2019 through 2022, there were six focus group meetings and various forms of correspondence (email, phone call, etc.) to confirm the direction of the project, and also provide feedback and input towards the Borchard Community Park Skatepark Replacement Project; and

WHEREAS, on June 17, 2021, as part of the 10-Year Capital Improvement Program the Board of Directors included funding for the Borchard Community Park Skatepark Replacement Project Design for FY2021/2022; and

WHEREAS, in July 2021, the Board approved a design contract with California Skateparks for Design and Estimating Services for the Borchard Community Park Skatepark Replacement Project; and

WHEREAS, in September 2022, there were two open community meetings to provide feedback and input towards the Borchard Community Park Skatepark Replacement Project; and

WHEREAS, in November 2022, the Board amended the design contract with California Skateparks for Construction Documents and Permitting Services for Borchard Community Park Skatepark Replacement Project; and

WHEREAS, on June 15, 2023, as part of the 10-Year Capital Improvement Program the Board of Directors included funding for the Borchard Community Park Skatepark Replacement Project Development for FY2024/2025; and

WHEREAS, the Board of Directors was presented with the attached September 5, 2024 staff report, attachments, and weblinks thereto; and

WHEREAS, on September 5, 2024, the Board held a regularly scheduled and noticed public meeting, including consideration of its approval of the Borchard Community Park Skatepark Replacement Project CEQA Exemption.

NOW THEREFORE, BE IT RESOLVED, that the Board of Directors of the Conejo Recreation and Park District makes the following findings and determinations:

The Borchard Community Park Skatepark Replacement Project qualifies for a Categorical Exemption under CEQA Guidelines Sections 15300.2 and 15301 because the project is consistent with the criteria for a Class 1 Categorical Exemptions, and thus no further CEQA analysis is required.

BE IT FURTHER RESOLVED, the Board of Directors of the Conejo Recreation and Park District hereby adopts a Categorical Exemption under CEQA Guidelines Sections 15300.2 and 15301 for the Borchard Community Park Skatepark Replacement Project.

**PASSED AND ADOPTED** this 5<sup>th</sup> day of September, 2024, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

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James Friedl  
General Manager

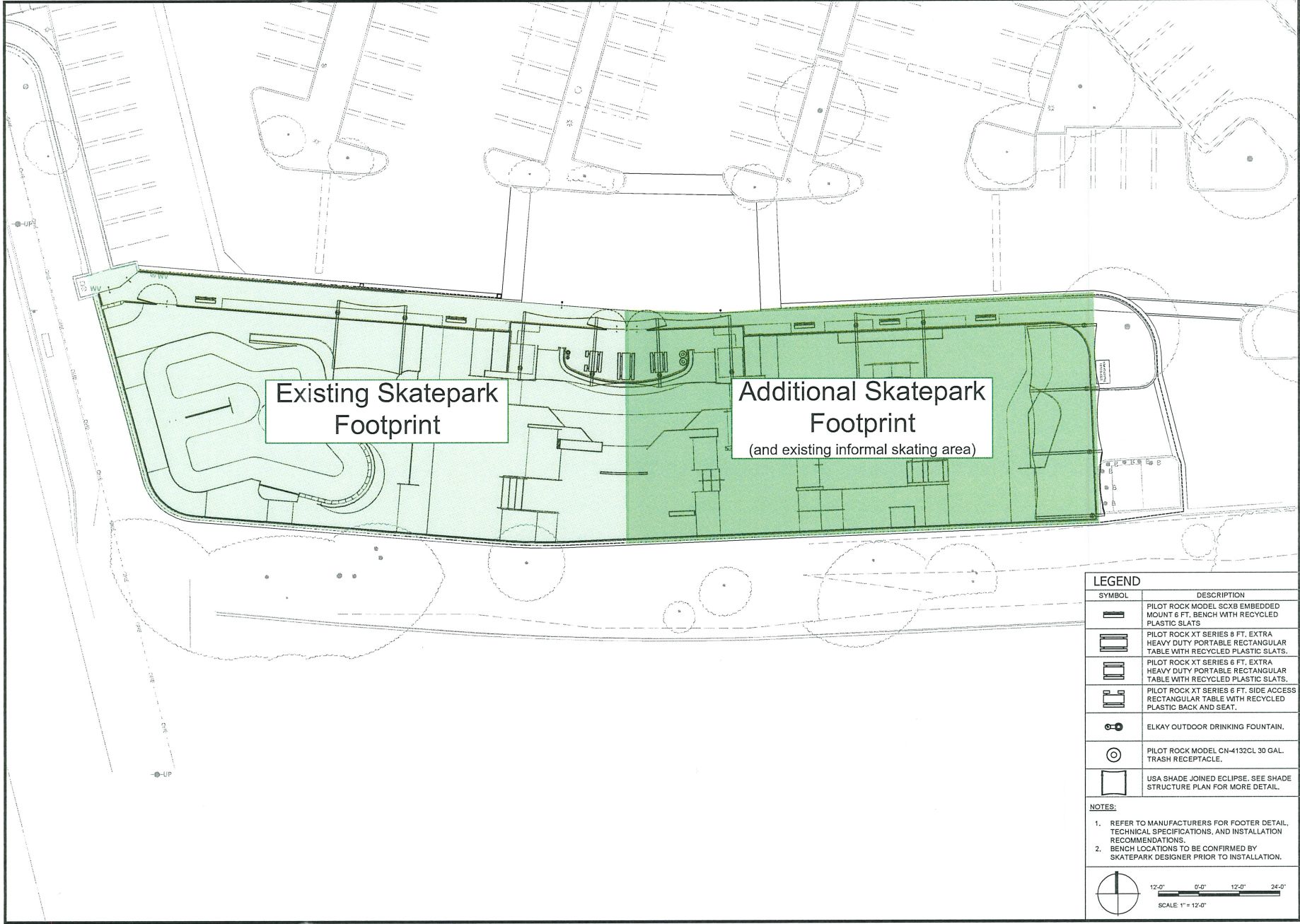
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George Lange  
Chair, Board of Directors

ATTEST:

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Aline Reynders  
Executive Assistant



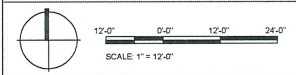
Existing Skatepark Footprint

Additional Skatepark Footprint  
(and existing informal skating area)

LEGEND	
SYMBOL	DESCRIPTION
	PILOT ROCK MODEL SCXB EMBEDDED MOUNT 6 FT. BENCH WITH RECYCLED PLASTIC SLATS
	PILOT ROCK XT SERIES 8 FT. EXTRA HEAVY DUTY PORTABLE RECTANGULAR TABLE WITH RECYCLED PLASTIC SLATS.
	PILOT ROCK XT SERIES 6 FT. EXTRA HEAVY DUTY PORTABLE RECTANGULAR TABLE WITH RECYCLED PLASTIC SLATS.
	PILOT ROCK XT SERIES 6 FT. SIDE ACCESS RECTANGULAR TABLE WITH RECYCLED PLASTIC BACK AND SEAT.
	ELKAY OUTDOOR DRINKING FOUNTAIN.
	PILOT ROCK MODEL CN-4132CL 30 GAL. TRASH RECEPTACLE.
	USA SHADE JOINED ECLIPSE. SEE SHADE STRUCTURE PLAN FOR MORE DETAIL.

**NOTES:**

- REFER TO MANUFACTURERS FOR FOOTER DETAIL, TECHNICAL SPECIFICATIONS, AND INSTALLATION RECOMMENDATIONS.
- BENCH LOCATIONS TO BE CONFIRMED BY SKATEPARK DESIGNER PRIOR TO INSTALLATION.



<p>CALIFORNIA skateparks TFT 1-800-CA-SKATE www.californiaskateparks.com</p>	<p>No.:</p>
	<p>ISSUE / REVISION DATE DRAWN BY / REVIEWED BY</p>
<p>PROJECT: BORCHARD PARK SKATEPARK THOUSAND OAKS, CA</p>	<p>SHEET TITLE: SITE PLAN</p>
<p>SHEET NUMBER</p>	<p>SP-3.1</p>





# MEMORANDUM

Date: August 29, 2024

To: Conejo Recreation and Park District

Subj: Borcard Skatepark Replacement Project  
Categorical Exemption Justification Memo

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This assessment was drafted by Envicom Corporation (Envicom) for use by the Conejo Recreation and Park District (CRPD) as the lead agency located in the City of Thousand Oaks (City). This assessment evaluates whether the proposal for Borcard Skatepark Replacement Project (project) qualifies for a Categorical Exemption under the California Environmental Quality Act (CEQA).

## *Exemptions Criteria*

CEQA defines categorical exemptions for various types of projects the Secretary of the Resources Agency of the State of California has determined do not have a significant effect on the environment, and therefore are not subject to further environmental review under the State CEQA Guidelines. As evaluated in this document, CEQA's Class 1 exemption was found to pertain to the project:

- **Class 1 – Existing Facilities Exemption** (CEQA Guidelines Section 15301), exempts repair or minor alteration of existing structures involving negligible expansion of existing use.

In addition to meeting the definitions above, projects seeking Categorical Exemptions must comply with specified exceptions criteria, provided in Section 15300.2 of the State CEQA Guidelines, as paraphrased below.

## *Exceptions Criteria*

Projects may not qualify for a Categorical Exemption, if one or more of the following apply:

- (a) Classes 3, 4, 5, 6, and 11 are qualified by consideration of where the project is to be located.<sup>1</sup>

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<sup>1</sup> A project that is ordinarily insignificant in its impact on the environment may in a particularly sensitive environment be significant. Therefore, these classes are considered to apply all instances, except where the project may impact on an environmental resource of hazardous or critical concern where designated, precisely mapped, and officially adopted pursuant to law by federal, state, or local agencies.



- (b) The project and successive projects of the same type in the same place will result in cumulative impacts.
- (c) There are unusual circumstances creating the reasonable possibility of significant effects.
- (d) The project may result in damage to scenic resources, including, but not limited to, trees, historic buildings, rock outcroppings, or similar resources, within an officially designated scenic highway.
- (e) The project is located on a site that the Department of Toxic Substances Control and the Secretary of the Environmental Protection have identified, pursuant to Government code section 65962.5, as being affected by hazardous wastes or clean-up problems.
- (f) The project may cause a substantial adverse change in the significance of an historical resource.

The justification and findings that the project is exempt from CEQA, pursuant to the Class 1 Categorical Exemption, are provided below in the following format: I. Project Description, II. Evaluation of Exemption Criteria, III. Consideration of Exemptions, and IV. Conclusion.

## **I. PROJECT DESCRIPTION**

The Borchard Skatepark, located at 190 North Reino Road in Newbury Park, is an existing 10,000 square-foot (sf) skatepark located at the 29-acre Borchard Community Park designated as Public, Quasi-Public, and Institutional Lands and Facilities (P-L). The project would allow demolition of the existing skatepark facility and adjacent 27 parking spaces to construct a new 20,000 sf skatepark facility including four 50 feet tall light poles with LED lights, 14.4 foot-tall shade structures, designated covered picnic area, bench spectator seating, fencing, and a security system. The project would also provide new landscaping. Parking for the project is already provided by the Borchard Community park.

## **II. EVALUATION OF EXEMPTION CRITERIA**

The following subsections provide discussion and analysis of the project's consistency with the criteria listed in Section 15301 of the State CEQA Guidelines for a project to be eligible for a Categorical Exemption under Class 1, respectively.

**Class 1 – Existing Facilities**, consists of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of existing or former use...The key consideration is whether the project involves negligible or no expansion of use. As an example, under Subsection (e)(2) the Guidelines allows additions to existing structures provided that the addition will not result in an increase of more than 10,000 sf if:

- (A) The project is in an area where all public services and facilities are available to all for maximum development permissible in the General Plan and
- (B) The area in which the project is located is not environmentally sensitive.

Discussion: Taken as a whole, the project is an expansion of an existing public facility, namely the Borchard Skatepark. The proposed expansion would increase the size of the existing skatepark by 10,000, which is specifically allowed pursuant to CEQA Guidelines Section 15301 (e)(2) referenced above. The project would make improvements at the skatepark, and the facility would maintain its existing and intended function. The remaining project components, such as adding lights, shaded structures, picnic area, spectator benches, and landscaping are components which support the Borchard Community Park use and purpose, as intended in the exemption. All of the project improvements would occur within the boundaries of the existing, developed and urbanized site. Borchard Community Park is currently served by public services and facilities and the proposed expansion of the skatepark would not require new public services or facilities to be constructed or expanded in order to serve the project. Further the proposed skatepark expansion would occur in the same location of the existing skatepark. The expanded footprint of the project occurs within the paved parking lot, a portion of which currently serves as an overflow skate/recreation and material storage area adjacent to the existing park lot. It is important to note that about half of the footprint of the expansion area into the existing asphalt parking lot is already used by formal recreation classes as well as by drop-in skating use and overflow area during peak skatepark use times. No environmentally sensitive habitat occurs within the footprint or would be disturbed by the project. Based on these findings, the proposed project improvements would qualify as except from CEQA under the Class 1 Existing Facilities exemption.

### III. CONSIDERATION OF EXCEPTIONS

Section 15300.2 of the CEQA Statutes and Guidelines provides a list of exceptions for consideration of a project as categorically exempt. These are listed and discussed below:

**(a) Location.** Classes 3, 4, 5, 6, and 11 are qualified by consideration of where the project is to be located. A project that is ordinarily insignificant in its impact on the environment may in a particularly sensitive environment be significant. Therefore, these classes are considered to apply all instances, except where the project may impact on an environmental resource of hazardous or critical concern where designated, precisely mapped, and officially adopted pursuant to law by federal, state, or local agencies.

For the use of the Class 1 exemption, exemption criteria (a) does not apply.

**(b) Cumulative Impact.** All exemptions for these classes are inapplicable when the cumulative impact of successive projects of the same type in the same place, over time is significant.

As discussed above, the project site is a minor improvement project to existing facilities adding minor new construction. The project itself would have no significant impacts (as evaluated in this memorandum), and as such, it would not add to cumulative impacts. Therefore, no cumulative impacts would occur.

**(c) Significant Effect.** A categorical exemption shall not be used for an activity where there is a reasonable possibility that the activity will have a significant effect on the environment due to unusual circumstances.

The project site is a minor improvement project within portions of the existing Borchard Community Park that is intended to improve the quality of the use, but would not increase the intensity of the use or create new significant effects. Since the project site is located within the developed Borchard Community Park, there would be no significant biological resources or significant areas of impact. Beyond the issues addressed, there are no known unusual circumstances on or around the project site, that would warrant environmental analysis, as such, the project would not be in conflict with this exception.

**(d) Scenic Highways.** A categorical exemption shall not be used for a project which may result in damage to scenic resources, including but not limited to, trees, historic buildings, rock outcroppings, or similar resources, within a highway officially designated as a state scenic highway.

Not applicable. Based on Caltrans California State Highways Map, U.S. Route 101 is listed as eligible for designation and is located approximately one-mile north of the project site; however, the project is not visible from U.S. Route 101 and is not designated as a Scenic Highway.<sup>2</sup> In addition, the project area has no resources, and therefore would not damage mature, scenic trees, historic buildings, or scenic rock outcroppings. As such, the project would not be in conflict with this exception.

**(e) Hazardous Waste Sites.** A categorical exemption shall not be used for a project located on a site which is included on any list compiled pursuant to Section 65962.5 of the Government Code.

The project is not located within an active site which is included in any list compiled pursuant to Section 65962.5 of the Government Code, commonly referred to as the Cortese List, as shown below:

- The California Department of Toxic Substances Control EnviroStor Hazardous Waste and Substances Site List;<sup>3</sup>
- The State Water Resources Control Board GeoTracker;<sup>4</sup>
- Solid waste disposal sites identified by State Water Resources Control Board with waste constituents above hazardous waste levels outside the waste management unit;<sup>5</sup>
- The State Water Resources Control Board list of Cease-and-Desist Orders and Cleanup and Abatement Orders;<sup>6</sup> and

<sup>2</sup> Caltrans, California State Scenic Highway System Map, Accessed on August 27, 2024 at: <https://caltrans.maps.arcgis.com/apps/webappviewer/index.html?id=465dfd3d807c46cc8e8057116f1aaca>

<sup>3</sup> Department of Toxic Substance Control, EnviroStor, Accessed on August 27, 2024 at: [https://www.envirostor.dtsc.ca.gov/public/map/?global\\_id=38330005](https://www.envirostor.dtsc.ca.gov/public/map/?global_id=38330005)

<sup>4</sup> State Water Resources Control Board, GeoTracker, Accessed on August 27, 2024 at: [https://geotracker.waterboards.ca.gov/map/?global\\_id=T0607302824](https://geotracker.waterboards.ca.gov/map/?global_id=T0607302824)

<sup>5</sup> CalEPA, List of Solid Waste Disposal with Waste Constituents Above Hazardous Waste Levels Outside the Waste Management Unit, Accessed on August 27, 2024 at: <https://calepa.ca.gov/wp-content/uploads/sites/6/2016/10/SiteCleanup-CorteseList-CurrentList.pdf>

<sup>6</sup> CalEPA, List of “Active” CDO and CAO from Water Board, Excel Available at: <https://calepa.ca.gov/SiteCleanup/CorteseList/>

- Hazardous waste facilities subject to corrective action pursuant to Section 25187.5 of the Health and Safety Code, as identified the California Department of Toxic Substances Control.<sup>7</sup>

Therefore, the project is not identified as a hazardous waste site, or in the vicinity of a hazardous waste site, and would not be in conflict with this exception.

**(f) Historical Resources.** A categorical exemption shall not be used for a project which may cause a substantial adverse change in the significance of a historical resource.

The project would demolish the existing Borchard Skatepark which was constructed in 2002 to construct an expanded skatepark. Therefore, the project would not cause a substantial adverse change of a historical resources and would not be in conflict with this exception.

#### **IV. CONCLUSION**

Based on the above information and attached documentation, this analysis shows that development of the proposed Borchard Skatepark Replacement Project would be consistent with the criteria for a Class 1 Categorical Exemptions under CEQA Guidelines Section 15301, and thus exempt from further CEQA analysis.

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<sup>7</sup> CalEPA, Cortese List: Section 65962.5(a), List of Hazardous Waste Facilities Subject to Corrective Action Pursuant to Section 25187.5 of the Health and Safety Code, Identified by DTSC, Accessed on August 27, 2024 at: <https://calepa.ca.gov/sitecleanup/corteselist/section-65962-5a/>