

2019071013

Notice of Exemption

Appendix E

To: Office of Planning and Research
P.O. Box 3044, Room 113
Sacramento, CA 95812-3044

From: (Public Agency): California Department of Transportation
464 West 4th Street
San Bernardino, California

County Clerk

County of: _____

(Address)

Project Title: SBD 138 INSTALL TRAFFIC SIGNALS

Project Applicant: California Department of Transportation

Project Location - Specific:

California State Route 138 and Cajon Blvd in San Bernardino County

Project Location - City: Unincorporated San Bernardino County

Project Location - County: San Bernardino

Description of Nature, Purpose and Beneficiaries of Project:

Realign SR-138/Cajon Blvd intersection, install traffic signals & widen SB I-15 off-ramp

Name of Public Agency Approving Project: California Department of Transportation

Name of Person or Agency Carrying Out Project: California Department of Transportation

Exempt Status: (check one):

- Ministerial (Sec. 21080(b)(1); 15268);
Declared Emergency (Sec. 21080(b)(3); 15269(a));
Emergency Project (Sec. 21080(b)(4); 15269(b)(c));
Categorical Exemption. State type and section number: Class 1(c)
Statutory Exemptions. State code number:

Reasons why project is exempt:

Scope involves alterations to existing facilities & does not impact resources of concern

Lead Agency FOR

Contact Person: Gabrielle Duff

Area Code/Telephone/Extension: 909-383-6933

If filed by applicant:

- 1. Attach certified document of exemption finding.
2. Has a Notice of Exemption been filed by the public agency approving the project? Yes No

Signature: [Handwritten Signature]

Date: 7/25/19

Title: SR. ENV. PLANNER

Signed by Lead Agency Signed by Applicant

Governor's Office of Planning & Research

JULY 25 2019

Authority cited: Sections 21083 and 21110, Public Resources Code.
Reference: Sections 21108, 21152, and 21152.1, Public Resources Code.

Date Received for filing at OPR:

STATE CLEARINGHOUSE

Permit Type	Agency	Date Submitted	Date Received	Expiration	Fee	Notes	Permit Requirement Completed	
							Name	Date
N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A

Date of ECR: 7/15/2019
 Date: (7/23/2019)

ENVIRONMENTAL COMMITMENTS RECORD (SBD 138 Install Traffic)

SBD-138-PM R14.8/R15.1
 SBD-15-PM R21.6

- Project Phase:
 PAIED (DED/FED)
 PS&E Submittal _____ %
 Construction

EA 08-1H820
 PN 0817000138
 Generalist: JaShawn Combs
 ECL:

Avoidance, Minimization, and/or Mitigation Measures	Page # in Env. Doc. Or Permit	Environmental Analysis Source (Technical Study, Environmental Document, and/or Technical Discipline)	Responsible for Development and/or Implementation of Measure	Timing/Phase	If applicable, corresponding construction provision: (standard, special, non-standard)	Action(s) Taken to Implement Measure/If checked No, add Explanation here	PS&E Task Completed	Construction Task Completed	Environmental Compliance	
							Date / Initials	Date / Initials	YES	NO
CULTURAL RESOURCES										
CUL-1: Stop work if buried cultural resources are encountered during construction until a qualified archaeologist can evaluate the nature and significance of the find. In the event that human remains, including isolated, disarticulated bones or fragments, are discovered during construction-		District Environmental Cultural Resources (6/6/2019)	District Cultural Studies/ District Design/ Resident Engineer/ Contractor	Design/Construction	Standard Specifications: Section 2018 SS 14-2.03A					

related activity, cease in the vicinity of the human remains.										
CUL-2: In the event that human remains are found, the county coroner shall be notified and ALL construction activities within 50 feet of the discovery shall stop. Pursuant to Public Resources Code Section 5097.98, if the remains are thought to be Native American, the coroner will notify the Native American Heritage Commission (NAHC) who will then notify the Most Likely Descendent (MLD). The person who discovered the remains will contact the District 8 Division of Environmental Planning; Andrew Walters, DEBC: (909)383-2647 and Gary Jones, DNAC: (909)383-7505. Further provisions of PRC 5097.98 are to be followed as applicable.		District Environmental Cultural Resources (6/6/2019)	District Cultural Studies/ District Design/ Resident Engineer/ Contractor	Final Design, Construction	Standard Specifications: Section 2018 SS 14-2.03A Health & Safety Code 7050.5 & Public Resource Code 5097					
HAZARDOUS WASTE / MATERIALS										
HAZ-1: Earth Material Containing Lead. Requires Lead Compliance Plan.		ISA Checklist (6/27/2019)	District Design / District Environmental Engineering / Resident Engineer / Contractor	Final Design, Construction	Standard Special Provision 2018: Section 7-1.02K(6)(j)(iii)					
HAZ-2: Remove Yellow Traffic Stripe and Pavement Marking with Hazardous Waste Residue		ISA Checklist (6/27/2019)	District Design / District Environmental Engineering / Resident	Final Design, Construction	Standard Special Provision 2018: Section 14-11.12					

			Engineer / Contractor							
HAZ-3: Remove Traffic Stripes and Pavement Markings Containing Lead		ISA Checklist (6/27/2019)	District Design / District Environmental Engineering / Resident Engineer / Contractor	Final Design, Construction	Standard Special Provision 2018: Section 84-9.03B					
HAZ-4: Treated Wood Waste		ISA Checklist (6/27/2019)	District Design / District Environmental Engineering / Resident Engineer / Contractor	Final Design, Construction	Standard Special Provision 2018: Section 14-11.14					
HAZ-5: Supplemental Project Information		ISA Checklist (6/27/2019)	District Design / District Environmental Engineering / Resident Engineer / Contractor	Final Design, Construction	Standard Special Provision 2018: Section 2-1.06B					
HAZ-6: Asbestos-Containing Construction Materials in Bridges		ISA Checklist (6/27/2019)	District Design / District Environmental Engineering / Resident Engineer / Contractor	Final Design, Construction	Standard Special Provision 2018: Section 13-11.16					
HAZ-7: Asbestos NESHAP notification		ISA Checklist (6/27/2019)	District Design / District Environmental Engineering / Resident Engineer / Contractor	Final Design, Construction	Standard Special Provision 2018: Section 14-9.02					
BIOLOGICAL RESOURCES										

<p>BIO-1: Bird Protection/Southwestern Willow Flycatcher (SWWF): If Construction Activities occur within the breeding season (February 1 – September 30), Caltrans will conduct pre-construction bird surveys within all areas of Critical Habitat for SWWF. If active SWWF nests are discovered during nesting bird pre-construction surveys, then Caltrans will establish a 300-foot no-construction buffer, and will initiate consultation with USFWS and/or CDFW.</p>			<p>District Design / District Biological Studies / Resident Engineer / Contractor</p>	<p>Final Design, Construction</p>	<p>Standard Special Provision 2018: Section 14-6.03(A), 14-6.03(B)</p>					
<p>BIO-2: Construction Lighting Shield: If construction activities occur at night, construction lighting will be directed at the project work area only, and construction lighting will be prevented from spilling out into the surrounding habitat.</p>			<p>District Design / District Biological Studies / Resident Engineer / Contractor</p>		<p>Standard Special Provision 2018: Section 14-6.03(A)</p>					
<p>BIO-3: Nesting bird preconstruction survey – Should construction activities occur during the nesting season (Feb 1- Sep 30), within the BSA, Caltrans will conduct pre-construction habitat suitability assessments and, if merited nesting bird clearance surveys, in all areas where vegetation removal will occur. If an active nest is discovered, Caltrans will establish a 300-foot no-construction buffer (500-foot for raptors) and monitor the nest until the young have fledged or the nest is no longer.</p>			<p>District Design / District Biological Studies / Resident Engineer / Contractor</p>		<p>Standard Special Provision 2018: Section 14-6.03(A), 14-6.03(B)</p>					
<p>BIO-4: Equipment Parking/Materials Storage: Caltrans</p>			<p>District Design / District</p>		<p>Standard</p>					

<p>and contractors will only park and store vehicles, equipment and materials on previously disturbed, unvegetated area.</p>			<p>Biological Studies / Resident Engineer / Contractor</p>		<p>Special Provision 2018: Section 14-6.03(A)</p>					
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Governor's Office of Planning & Research

JULY 25 2019

STATE CLEARINGHOUSE

CATEGORICAL EXEMPTION/CATEGORICAL EXCLUSION DETERMINATION FORM

08-SBd-138	R14.8/R15.1	1H820/0817000138
08-SBd-15	R21.6	
Dist.-Co.-Rte. (or Local Agency)	P.M./P.M.	E.A/Project No. Federal-Aid Project No. (Local Project)/Project No.

PROJECT DESCRIPTION: (Briefly describe project including need, purpose, location, limits, right-of-way requirements, and activities involved in this box. Use Continuation Sheet, if necessary.)

The project consists of installing traffic signals at the intersections of State Route 138 (SR-138) and Cajon Boulevard, and at SR-138 and 1-15 southbound off-ramp in San Bernardino County. Also, the project includes realignment of the north leg of Cajon Boulevard to reduce the skew angle and shorten the offset across the intersection with SR-138 and widen the 1-15 southbound off-ramp from one lane to two lanes (approximate length 405'-500').

CALTRANS CEQA DETERMINATION (Check one)

Not Applicable – Caltrans is not the CEQA Lead Agency **Not Applicable – Caltrans has prepared an Initial Study or Environmental Impact Report under CEQA**

Based on an examination of this proposal, supporting information, and the above statements, the project is:

Exempt by Statute. (PRC 21080[b]; 14 CCR 15260 et seq.)
 Categorically Exempt. Class 1. (PRC 21084; 14 CCR 15300 et seq.)

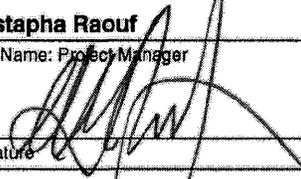
Based on an examination of this proposal and supporting information, the following statements are true and exceptions do not apply:

- If this project falls within exempt class 3, 4, 5, 6 or 11, it does not impact an environmental resource of hazardous or critical concern where designated, precisely mapped, and officially adopted pursuant to law.
- There will not be a significant cumulative effect by this project and successive projects of the same type in the same place, over time.
- There is not a reasonable possibility that the project will have a significant effect on the environment due to unusual circumstances.
- This project does not damage a scenic resource within an officially designated state scenic highway.
- This project is not located on a site included on any list compiled pursuant to Govt. Code § 65962.5 ("Cortese List").
- This project does not cause a substantial adverse change in the significance of a historical resource.

Common Sense Exemption. (This project does not fall within an exempt class, but it can be seen with certainty that there is no possibility that the activity may have a significant effect on the environment (14 CCR 15061[b][3].))

Gabrielle Duff
 Print Name: Senior Environmental Planner or Environmental Branch Chief

 Signature _____ Date 7/24/19

Mustapha Raouf
 Print Name: Project Manager

 Signature _____ Date 7/25/19

NEPA COMPLIANCE

In accordance with 23 CFR 771.117, and based on an examination of this proposal and supporting information, the State has determined that this project:

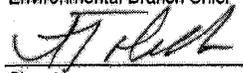
- does not individually or cumulatively have a significant impact on the environment as defined by NEPA, and is excluded from the requirements to prepare an Environmental Assessment (EA) or Environmental Impact Statement (EIS), and
- has considered unusual circumstances pursuant to 23 CFR 771.117(b).

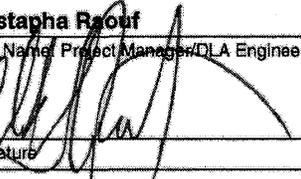
CALTRANS NEPA DETERMINATION (Check one)

23 USC 326: The State has determined that this project has no significant impacts on the environment as defined by NEPA, and that there are no unusual circumstances as described in 23 CFR 771.117(b). As such, the project is categorically excluded from the requirements to prepare an EA or EIS under the National Environmental Policy Act. The State has been assigned, and hereby certifies that it has carried out the responsibility to make this determination pursuant to Chapter 3 of Title 23, United States Code, Section 326 and a Memorandum of Understanding dated May 31, 2016, executed between the FHWA and the State. The State has determined that the project is a Categorical Exclusion under:

- 23 CFR 771.117(c): activity (c)(27)**
- 23 CFR 771.117(d): activity (d)(____)**
- Activity ____ listed in Appendix A of the MOU between FHWA and the State**

23 USC 327: Based on an examination of this proposal and supporting information, the State has determined that the project is a Categorical Exclusion under 23 USC 327. The environmental review, consultation, and any other actions required by applicable Federal environmental laws for this project are being, or have been, carried out by Caltrans pursuant to 23 USC 327 and the Memorandum of Understanding dated December 23, 2016 and executed by FHWA and Caltrans.

Gabrielle Duff
 Print Name: Senior Environmental Planner or Environmental Branch Chief

 Signature _____ Date 7/24/19

Mustapha Raouf
 Print Name: Project Manager/CLA Engineer

 Signature _____ Date 7/25/19

Date of Categorical Exclusion Checklist completion: _____ Date of ECR or equivalent: _____

Briefly list environmental commitments on continuation sheet. Reference additional information, as appropriate (e.g., CE checklist, additional studies and design conditions).

CATEGORICAL EXEMPTION/CATEGORICAL EXCLUSION DETERMINATION FORM
Continuation Sheet

Continued from page 1:

Scope of work includes:

- Construct curb ramps, install accessible pedestrian signals (APS), crosswalk striping and pavement marking on SR-138.
- Reconstruct drainage system to accommodate Cajon Boulevard new alignment.
- Install video detection and loop detectors at the intersection of SR-138 and Cajon Boulevard.
- Construct a Type 9 Flashing Beacon System facing vehicles travelling eastbound on SR-138. The maximum depth of the footing for the flashing beacon is 10 feet and the maximum depth for the trenching for the conduit is 30 inches.

Approximately 0.55 acres of right of way acquisition impacting two (2) parcels are required and five (5) temporary construction easements. The description of work in each parcel is as follows:

1. APN 0351-141-22: Construct new cul de sac, adjust pavement grade, and construct curb ramp meeting ADA standards.
2. APN 0351-141-31: Construct curb ramp meeting ADA standards.
3. APN 0351-141-40: Remove existing access road, regrade to achieve sheet flow to creek side, remove drainage pipe, construct new cul de sac, and construct driveway approach. Maximum depth of excavation is estimated to be 1.5 feet.
4. APN 0351-141-41: Construct new cul de sac and adjust pavement grade.
5. APN 0351-141-43: Construct new cul de sac, adjust pavement grade, and construct driveway approach.

The purpose of this project is to reduce the number of collisions at the intersection of SR-138 and Cajon Boulevard, and at the southbound I-155 to SR-138 off-ramp.

The need of the project includes an un-signalized intersection of SR-138 and Cajon Boulevard with stop control on Cajon Boulevard. Due to high speed traffic on SR-138, this uncontrolled condition makes it difficult for traffic to make a left-turn from SR-138 onto Cajon Boulevard as well as for traffic trying to make a turn from Cajon Boulevard onto SR-138. This intersection has met Signal Warrants: No. 7, Crash Experience. This justifies the installation of a traffic signal at this location. In addition, due to its proximity to the Cajon Boulevard intersection, the I-15 SB off-ramp to the SR-138 will be signalized and the off-ramp will be widened to current standards.

The "Conceptual Approval for the SHOPP Funding of 201.10 – Safety Improvements Project" for this project was granted on January 23, 2017 from Headquarters Office of Performance and qualified as a safety project due to the Traffic Safety Index being greater than 200.

Natural Environment Study (Minimal Impact) – 7/23/2019

Historic Property Survey Report – 5/22/2019

Initial Site Assessment (ISA) Checklist – 6/27/2019

Air Quality Memorandum – 6/18/2019

Noise Study Memorandum – 7/15/2019

Biological Studies: Natural Environment Study (Minimal Impacts)

In coordination with District Biological Studies & Permits Branch, a Natural Environmental Study (Minimal Impacts) (NES(MI)) was prepared and approved on July 23, 2019. The NES(MI) determined that the proposed project will have "No Effect" to any Federally-listed species or their habitat, pursuant to Section 7(a)(2) of the Federal Endangered Species Act and would result in "No Take" to any State-listed species or their habitat, pursuant to the California Endangered Species Act. Caltrans anticipates no regulatory permits.

- **BIO-1 Bird Protection/Southwestern Willow Flycatcher (SWWF):** If Construction Activities occur within the breeding season (February 1 – September 30), Caltrans will conduct pre-construction bird surveys within all areas of Critical Habitat for SWWF. If active SWWF nests are discovered during nesting bird pre-construction surveys, then Caltrans will establish a 300-foot no-construction buffer, and will initiate consultation with USFWS and/or CDFW.
- **BIO-2 Construction Lighting Shield:** If construction activities occur at night, construction lighting will be directed at the project work area only, and construction lighting will be prevented from spilling out into the surrounding habitat.
- **BIO-3 Nesting bird preconstruction survey** – Should construction activities occur during the nesting season (Feb 1- Sep 30), within the BSA, Caltrans will conduct pre-construction habitat suitability assessments and, if merited nesting bird clearance surveys, in all areas where vegetation removal will occur. If an active nest is discovered, Caltrans will establish a 300-foot no-construction buffer (500-foot for raptors) and monitor the nest until the young have fledged or the nest is no longer.
- **BIO-4 Equipment Parking/Materials Storage:** Caltrans and contractors will only park and store vehicles, equipment and materials on previously disturbed, unvegetated area.

Cultural Studies: Historic Property Survey Report

In coordination with District Cultural Studies, a Historic Property Survey Report (HPSR) was prepared and approved June 6, 2019. The HPSR determined that there is an archaeological resource located within the Area of Potential Effect (APE): 1H760-1 a 1950's – 1960's crushed historic deposit within the side wall of Cajon Creek, and found to be ineligible for the NRHP on August 3, 2017 through State

CATEGORICAL EXEMPTION/CATEGORICAL EXCLUSION DETERMINATION FORM

Continuation Sheet

08-SBd-138	R14.8/R15.1	1H820/0817000138
08-SBd-15	R21.6	
Dist.-Co.-Rte. (or Local Agency)	P.M./P.M.	E.A/Project No. Federal-Aid Project No. (Local Project)/Project No.

Historic Preservation Office (SHPO) consultation. In addition, one built environment resource, a small bypassed fragment of Route 66 is within the APE. This portion of Route 66 is exempt from evaluation pursuant to *Attachment 4 of the January 1, 2014 First Amended Programmatic Agreement among the Federal Highway Administration, the Advisory Council on Historic Preservation, the California State Historic Preservation Officer, and the California Department of Transportation (Section 106 PA)*. Therefore, Caltrans, pursuant to Section 106 PA Stipulation IX.A and as applicable PRC 5024 MOU Stipulation IX.A.2, has determined a Finding of No Historic Properties Affected is appropriate for this undertaking because there are no historic properties within the APE.

Hazardous Waste:

In coordination with District Environmental Engineering, an Initial Site Assessment (ISA) Checklist was prepared and approved by District Environmental Engineering on June 27, 2019. According to the ISA checklist the project's potential for hazardous waste involvement as "Low Risk":

Hazardous Waste Environmental Commitments include:

HW-1: Include SSP 7-1.02K(6)(j)(iii), for earth material containing lead, in PS&E package.
 HW-2: For removal of yellow traffic stripe and pavement marking with hazardous waste residue, include SSP 14-11.12: Removal of yellow traffic stripe and pavement marking with hazardous waste residue PS&E package.
 HW-3: Include SSP 84-9.03B, in the PS&E package, for removal of traffic stripes and pavement markings containing lead.
 HW-4: For removal of treated wood waste include SSP 14-11.14 in PS&E package.
 HW-5: For asbestos-containing construction materials in bridges, add SSP 13-11.16 in PS&E package.
 HW-6: Add SSP 14-9.02 to PS&E package and comply with its asbestos NESHAP notification requirements.

Air Quality:

District Environmental Engineering provided a memorandum on June 18, 2019 stipulating that this project is exempt from all air emissions analysis, therefore the project does not require an Air Quality report. Additionally, the Transportation Air Quality Conformity Findings Checklist was completed July 18, 2019.

Noise:

District Environmental Engineering (Noise) provided a memorandum on July 15, 2019 and determined that this is a Type III project per Traffic Noise Analysis Protocol. Therefore, a noise study is not required.

Paleontology:

In coordination with District Paleontology, it was determined on July 12, 2019 no paleontological studies are required.

Changes to the project's scope of work (including any changes necessitated by utilities), limits, construction strategy and/or staging and storage requirements, and/or the timeframe of construction, as well as Final Design (PS&E) efforts not addressed during preliminary design (PA&ED), will require that the District's Division of Environmental Planning be notified in a timely manner, to determine if performance of an Environmental Re-Evaluation will be required—and to otherwise confirm that the environmental documentation for CEQA compliance and NEPA compliance remains valid. Updates to the original Technical Studies, or preparation of new Technical Studies may be required, and/or new CE/CE Determination Form may need to be completed, and/or an Environmental Document may need to be prepared and approved to document the project's compliance with all applicable CEQA and NEPA requirements.

If an Environmental Reevaluation is determined to be necessary, it will need to be completed before the associated scope of work, or project limits or other change(s) being considered for the project, are implemented.

An Environmental Certification will be required at the end of the PS&E phase—prior to Ready-to-List.

The District's Division of Environmental Planning needs to be notified in a timely manner, if the project's scope of work, project limits, construction strategy and/or staging and storage requirements, and/or the timeframe of construction, changes during the Construction Phase, to determine if an Environmental Reevaluation (including possible updates to the original Technical Studies, or preparation of new Technical Studies) is required, and/or a new CE/CE Determination Form may need to be completed, and/or an Environmental Document may need to be prepared and approved to document the project's compliance with all applicable CEQA and NEPA requirements. If an Environmental Reevaluation is determined to be necessary, and/or additional analysis is required, all such efforts would be required to be completed before the scope of work (or project limits) change(s) being considered for the related portion of the project were implemented. Construction work consistent with the project scope included in the Environmental Certification issues for the project could continue, however, advance coordination with the Senior Environmental Planner assigned to this project would be necessary.

Completion of a *Certificate of Environmental Compliance At Construction Contract Acceptance* will be required following completion of construction of the project.

Completion of a *Certificate of Environmental Compliance* is required prior to project close-out.