



Interoffice Memo

DATE: August 17, 2020

PHONE: 387-8109

FROM: **HAROLD ZAMORA**, P.E., Chief *HZ*
Environmental Management Division

MAIL CODE: 0835

TO: **MERVAT MIKHAIL**, P.E. Chief
Transportation Design Division

File: H14995

SUBJECT: CEQA EXEMPTION: PHELAN ROAD INTERSECTION IMPROVEMENTS

BACKGROUND INFORMATION

The project consists of: widening four intersections along Phelan Road (Sonora Road, Tumbleweed Road, Sunny Vista Road, and Arrowhead Road) to accommodate left and right turn pockets; mill and overlay existing pavement; widen road with new pavement transitions to accommodate pavement; construct approach aprons and new returns at intersecting streets; minor grading on shoulder to maintain current drainage patterns. The project is located in the Phelan area of San Bernardino County. For locations, please refer to Attachments: Location and Site Map.

ENVIRONMENTAL DETERMINATION

In compliance with the California Environmental Quality Act (CEQA), Environmental Management Division (EMD) staff has reviewed the proposed project including the four intersections that are proposed to be widened.

Section 15301 of the CEQA guidelines states that in order to qualify there must be "negligible or no expansion of existing or former use." Although the project proposes to widen Phelan Road at these intersections from 40' (current width) up to 64' at its widest point, and is a 62% increase in the width of the road, these intersections have been graded to maximum width for many years. Thus, no undisturbed land will be encroached upon for the proposed project. Also to note, the proposed project will not increase capacity of the road or intersections, but rather is being proposed to alleviate safety issues.

The proposed project qualifies for two separate exemptions per the CEQA guidelines: a Class 1 Categorical Exemption "Existing Facilities" under Section 15301(c) of the CEQA Guidelines which allows for repair and maintenance activities on existing roads, sidewalks, gutters, and similar facilities that involve negligible or no expansion of use beyond that existing at the time of the lead agency's determination; and a Class 2 Categorical Exemption "Replacement or Reconstruction" under Section 15302 of the CEQA Guidelines, which allows for the replacement or reconstruction of existing structures and facilities where the new structure will be located on the same site as the structure replaced and will have substantially the same purpose and capacity as the structure replaced.

In order to qualify for these exemptions, the following condition(s) shall be observed:

GENERAL CONDITIONS

1. All work, including equipment staging, will remain on disturbed areas. No new work outside disturbed areas or existing rights-of-way will be performed without further environmental evaluation.
2. Standard best management practices shall be implemented during all maintenance activities, especially those pertaining to dust control, erosion control, and storm water pollution prevention. If equipment is parked overnight then a drip pan, or some other form of protection shall be placed under the vehicle in order to contain any drips, leaks, and/or spills. All food and other trash generated on the worksite shall be removed from the site daily. Please contact EMD at (909) 387-8109 with any questions.

BIOLOGICAL RESOURCE CONDITIONS

1. To avoid impacts to any nesting migratory birds, project activities shall be conducted outside of bird nesting season (March 1 through August 31). If the maintenance project is scheduled during the nesting season, pre-construction nest survey(s) are required to ensure that impacts to nesting birds are avoided. The last survey is to be conducted within three days prior to the start of work. If occupied nests are observed within the project area, the qualified biologist shall flag off the area(s) supporting bird nest(s) to provide a buffer (size of buffer will be dependent of the species found to be nesting at the discretion of the biologist), between the nest(s) and limits of maintenance. The biologist shall provide appropriate recommendations to ensure that no "take" results from the subject maintenance activities in the vicinity of flagged nest(s). If the surveys are negative maintenance activities can proceed as proposed. Please contact EMD at (909) 387-8109 to schedule pre-construction nest surveys.

CULTURAL RESOURCE CONDITIONS

1. Should prehistoric or historical archaeological resources be encountered during construction, the evaluation of any such resources should proceed in accordance with all appropriate federal, state, and local guidelines. Specifically, all work must be stopped in the immediate vicinity of the cultural resource found until a qualified archaeologist can assess the significance of the resource. If a cultural resource find is made notify EMD at (909) 387-8109.
2. If human remains are encountered during construction, then the San Bernardino County Coroner's Office must be contacted in accordance with state law within 24 hours of the find and all work should be stopped until clearance is given by that office and any other involved agencies. The Coroner's Office may be contacted at the Coroner's Division, County of San Bernardino, 175 S. Lena Road, San Bernardino, CA. Tel: (909) 387-2978.

It is our opinion that the Phelan Road Intersection Improvements Project meets the criteria for an exemption under Section 15301, and Section 15302 of the CEQA Guidelines. To complete the Categorical Exemption process, I recommend that a Notice of Exemption, together with the required fee, be filed with the Clerk of the Board of Supervisors of the County of San Bernardino.

Should you need further information or have any questions, please contact Patrick Egle, at 7-1865.

PE:as

Attachments: 1 Notice of Exemption
2 Location Map

Notice of Exemption

To: Office of Planning and Research
1400 Tenth Street, Room 121
Sacramento, CA 95814

From: County of San Bernardino
Department of Public Works
Environmental Management Division
825 E. Third Street, Room 123
San Bernardino, CA 92415-0835

Clerk of the Board of Supervisors
County of San Bernardino
385 North Arrowhead Avenue, Second Floor
San Bernardino, CA 92415-0130

Project Description

Project Title: Phelan Road Intersection Improvements

Project Location: The project is located along Phelan Road at intersections Sonora Road, Tumbleweed Road, Sunny Vista Road, and Arrowhead Road in the Phelan area of San Bernardino County.

Project Description: The project will accommodate left and right turn pockets; mill and overlay existing pavement; widen road with new pavement transitions to accommodate pavement; construct approach aprons and new returns at intersecting streets; minor grading on shoulder to maintain current drainage patterns.

Applicant

County of San Bernardino Dept of Public Works

825 E. Third Street

Address

San Bernardino, CA 92415-0835

(909) 387-8109

Phone

Representative

Patrick Egle

Name

Same As Applicant

Address

Harold Zamora, P.E.

Lead Agency Contact Person

(909) 387-8109

Same as Applicant

Phone

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)];
 Categorical Exemption. State type and section: Class 1, Section 15301 (c); Class 2, Section 15302
 Statutory Exemptions. State code number: _____
 Other Exemption: _____

Reasons why project is exempt: Class 1 allows for repair and maintenance activities on existing streets, sidewalks, gutters, and similar facilities that involve negligible or no expansion of use beyond that existing at the time of the lead agency's determination. Class 2 allows for replacement or reconstruction of existing structures or facilities where the new structure will be located on the same site as the structure replaced and will have substantially the same purpose and capacity as the structure replaced.

Harold Zamora
Signature Harold Zamora, P.E.

Chief, Environmental Mgmt. Div.

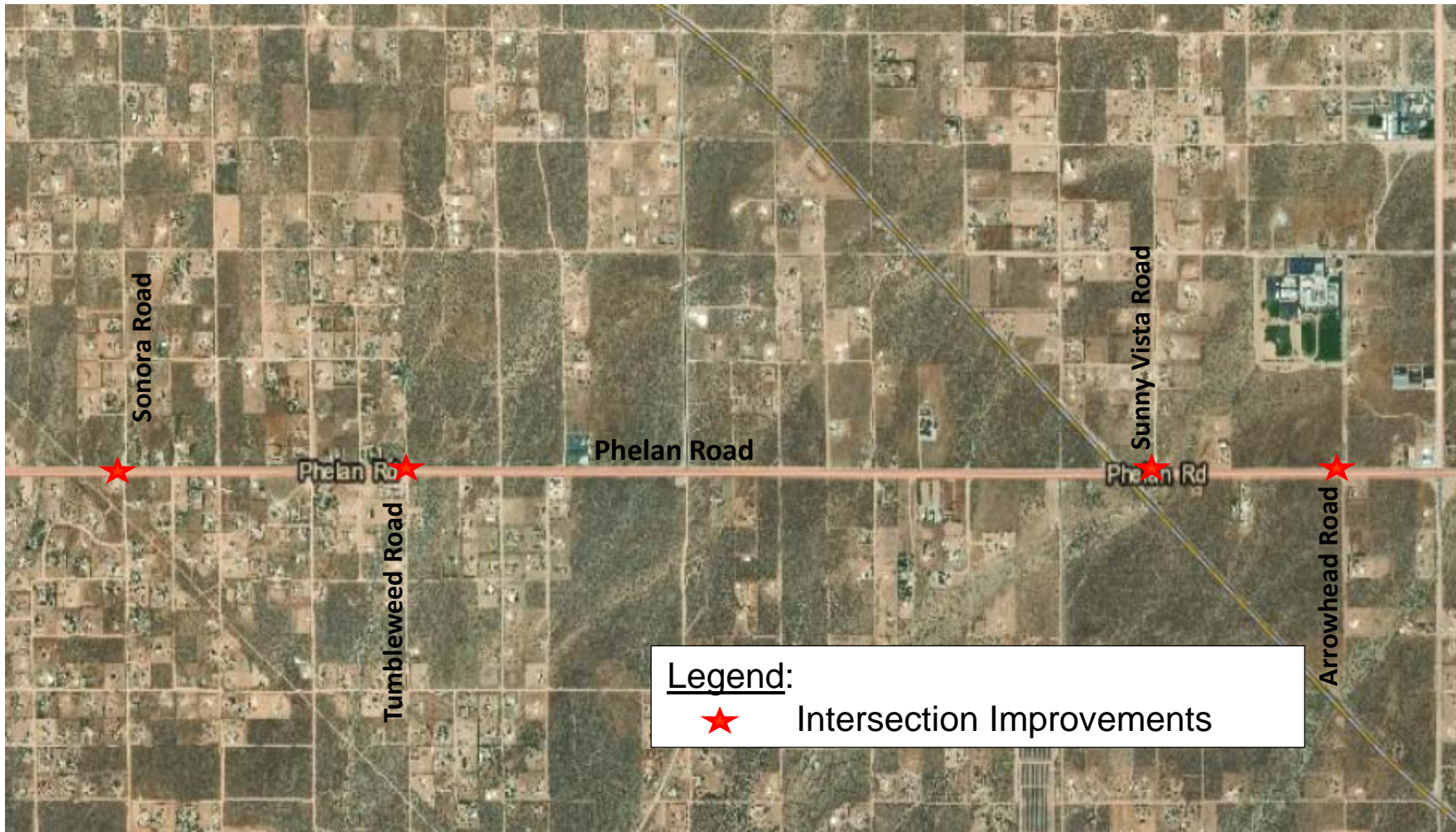
Title

08/18/2020

Date

Signed by Lead Agency Signed by Applicant

Date received for filing at OPR: N/A



Legend:



Intersection Improvements

Phelan Area

COUNTY OF SAN BERNARDINO
DEPARTMENT OF PUBLIC WORKS

Yard 11
Work Order H14995



LOCATION MAP

Phelan Road

at Sonora Road, Tumbleweed Road, Sunny Vista Road
and Arrowhead Road
Intersection Improvements Project