



# Interoffice Memo

DATE: April 6, 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: H14978

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SUBJECT: **CEQA EXEMPTION: ALDER AVENUE PROJECT**

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## BACKGROUND INFORMATION

The project consists of: full depth reconstruction on Alder Avenue, replace AC dikes and AC driveway approaches, construct ADA curb ramps, clearing and grubbing, finish roadway, and cold plane AC in some areas throughout the project limits. The project is located in the Fontana area of San Bernardino County. For locations of project activities, please refer to Attachment: 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.

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 humans 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 Alder Avenue Street 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 Michael Perry, at 7-1864.

XX:as

Attachments: 1      Notice of Exemption  
                  2      Location and Site Map

cc: Dalia Alarkan

# 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:** Alder Avenue Project

**Project Location:** The project is located on Alder Avenue, from 0.08-mile south of Taylor Street to San Bernardino Avenue, in the Fontana Area, San Bernardino County.

**Project Description:** The project consists of: full depth reconstruction on Alder Avenue, replace AC dikes and AC driveway approaches, construct ADA curb ramps, clearing and grubbing, finish roadway, and cold plane AC in some areas throughout the project limits.

## 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

4/14/2020  
Date

☒ Signed by Lead Agency ☐ Signed by Applicant

Date received for filing at OPR: N/A