



Interoffice Memo

DATE October 22, 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: Yard 3/Beech Ave

SUBJECT CEQA DETERMINATION: BEECH AVENUE AND HEMLOCK AVENUE PAVEMENT AND
SIDEWALK IMPROVEMENT PROJECT (W.O. H14977)

PROJECT DESCRIPTION

The proposed maintenance project generally entails mill and overlay, full depth reconstruction of asphalt road surface; road widening; removal of existing and construction of new, curb & gutter, sidewalk, ADA ramps, painting striping and pavement markings, and appurtenant work thereto.

All construction activities are planned to occur on previously disturbed areas and within existing right-of-way. Construction duration is anticipated less than 60 working-days with a projected start date of 2020. Construction Staging, if any, will be located on an existing paved road along Beech Avenue, Hemlock Avenue or one of the adjacent existing impacted paved roads.

County of San Bernardino Development Code 83.01.80(g)(3): exempts noise from temporary construction, maintenance, repair, or demolition activities between 7:00 a.m. and 7:00 p.m., except Sundays and Federal holidays. No Nighttime construction or lighting is proposed.

Project Location

The Proposed Project is planned for Beech Avenue and Hemlock Avenue, north from Muscat Avenue and south to Valley Boulevard in the City of Fontana, San Bernardino County, California. (see attached Project Location Map).

ENVIRONMENTAL EVALUATION

In compliance with the California Environmental Quality Act (CEQA), Environmental Management Division (EMD) staff has reviewed the proposed project.

The proposed project qualifies for a Class 1 Categorical Exemption "Existing Facilities" under Section 15301 (c) of the CEQA Guidelines. This categorical exemption 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. In order to qualify for the exemption, the following minimization measure(s) shall be observed.

General

1. **Disturbed Areas:** 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 evaluations.
2. **Staging Areas:** All material staging areas shall be clearly delineated in order to keep equipment and trucks within existing disturbed areas. Further, project related vehicle access, maintenance activities, and equipment storage shall be restricted to established roads, designated access roads, maintenance right-of-ways, and designated storage, staging, and parking areas. Off-road traffic outside of these designated areas shall be prohibited.
3. **Standard Best Management Practices:** Standard best management practices shall be implemented during all maintenance activities, especially those pertaining to dust control, erosion control, and stormwater 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 maintenance trash shall be removed from the site daily. Please contact EMD, at (909) 387-8109, with any questions

Biological Resources Evaluation

EMD Ecological Resources Specialists completed an evaluation of the proposed Project on May 22, 2020; the evaluation included a literature review and site review. The Project is located within dense residential development. The principle vegetation type consists of nonnative ornamental trees and shrubs. EMD's Ecologist performed a review of the California Natural Diversity Database (CNDD) and concluded while there is potential for sensitive species to occur within the Fontana, Guasti, Devore and Cucamonga Peak Quadrangles, the Project and adjacent areas do not contain the habitat necessary to support these species. EMD's Ecologist determined that the project area does not support native vegetation or habitat that could support potentially occurring special status species identified from the literature review. However, trees within the project area have the potential to support various species of nesting birds. Provided that conditions as listed in the *Biological Resources Conditions* paragraph below are implemented, no adverse impacts to biological resources are anticipated.

Biological Resource Conditions

1. If work occurs during the nesting bird season (March 15 – September 1), a preconstruction nesting bird survey must be conducted no more than three days prior to the start of work; If active nests are detected, appropriate avoidance buffers will be established and work activities within the vicinity of the nest will be monitored.

Cultural Resources Evaluation

A cultural resources review was completed by EMD Cultural Resource Specialist on May 20, 2020. Due to exigent circumstances caused by the COVID-19 epidemic, access to the South-Central Coastal Information Center (SCCIC) records search were not practical and no SCCIC record search was performed. However, EMD Cultural Resources Specialist performed a records review using previous surveys, reports, projects, historical maps, newspapers, aerial photographs and a Google Earth reconnaissance survey at the proposed Project site and within the vicinity. EMD Cultural Resource Specialist concluded that the *Beech Avenue Project* APE/Study Area contains numerous 45+ year old buildings and structures. Minimally, several are clearly visible on the 1948 historic aerial and several may be related to early agricultural development adjacent to Beech Avenue. As a result, Project-Specific and General/standard Conditions to Avoid an Effect/Change have been prepared. Provided that conditions as listed in the *Cultural Resources Conditions* paragraph below are implemented, no adverse impacts to cultural resources are anticipated

Cultural Resource Conditions

The Beech Avenue Project APE/Study Area contains numerous 45+ year old buildings and structures. Minimally, several are clearly visible on the 1948 historic aerial and several may be related to early agricultural development adjacent to Beech Avenue. It is here determined that the proposed Beech Avenue Project shall result in NO EFFECT or cause NO CHANGE to cultural resources if the following noted conditions to avoid an effect/change are implemented.

Project-Specific Conditions to Avoid an Effect/Change

1. Avoid damage and/or alteration to any historic features within the Beech Avenue Project APE/Study Area.
2. **A monitor shall be required during construction due to the fact that numerous 45+ year old features were identified within or immediately adjacent to the Beech Avenue Project APE/Study Area.** The estimated length of construction in the Environmental Data Request provided by EMD Planners is 35 days. It is suggested that spot monitoring for a maximum estimated ten-day period over the 35 estimated days of construction should be sufficient to ensure that cultural resources are not damaged. This should include preparation of a brief monitoring report following completion of construction. Note: if the monitor determines early on during construction that there is virtually no potential to impact cultural resources then the monitor may choose to end monitoring before the 10-day maximum.
 - a. If it appears that cultural resources are being damaged during construction the monitor shall immediately notify either Jesse Yorck, DPW/EMD Cultural Resource Specialist, and/or the DPW/EMD Project Planner.

General/Standard Conditions to Avoid an Effect/Change

1. The Resident Engineer is responsible for implementing all General/Standard Conditions necessary to avoid impacts to cultural resources.
2. Should significant subsurface prehistoric or historic archaeological resources appear to be encountered during construction, the evaluation of any such resources should proceed in accordance with the criteria outlined in accordance with CEQA guidelines (1970, as amended), and in accordance with the County of San Bernardino General Plan. Specifically, all work must be halted in the immediate vicinity of the cultural resource found until a qualified archaeologist can assess the significance of the resource.
3. 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 halted until a clearance is given by that office and any other involved agencies. The Coroner's Office may be contacted at Coroner's Division, County of San Bernardino, 175 S. Lena Road, San Bernardino, California (Tel: 909-387-2978).

ENVIRONMENTAL DETERMINATION

In compliance with the California Environmental Quality Act (CEQA), Environmental Management Division staff has reviewed the proposed project.

The Proposed Project qualifies for a Class 1 Categorical Exemption, "Existing Facilities" under Section 15301(c) of the CEQA guidelines. Class 1 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." Class 1 (c) exemption is specific to "existing highways and streets, sidewalks, gutters, bicycle and pedestrian trails, and similar facilities."

It is our opinion that performing mill and overlay existing pavement, reconstruct non-ADA compliant ramps, construct AC driveways, AC dike, curb and gutter with spandrel and cross gutter, paint stripe and pavement markings and doing other work appurtenant thereto meets the criteria for an exemption under Sections 15301(c) 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. A Notice of Exemption to be filed is included with this IOM.

Should you need further information or have any questions, please contact AJ Gerber, Planner at x77802.

HZ:AJ:nl

Attachments: Notice of Exemption, Project Location Map (rev)

cc: Eloy Ruvalcaba, Transportation Design
Karen Carter, EMD
Jesse Yorck, EMD