

08-SBD-138	17.0	0302/0819000026	NA
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.)

To replace the culvert on SR-138 at PM 17, near city of Hesperia. The project scope will include:

1. Replace existing 2-ft diameter CSP culvert with 4-ft diameter RCP/CSP.
2. Excavate trench (approximately 70ft in length, 10ft in width and 10 ft in depth) across roadway and install RCP/CSP
3. Construct headwall and Rock Slope Protection (none grouted) at the ends of the culvert
4. Reconstruct/restore and restripe the pavement
5. Reconstruct /restore the side slopes.
6. Construct and repair end-treatments.
7. Affected area would be less than 0.1 acres.
8. Acquisition of private land (portion of APN-0351-141-36).
9. Staging area will be outside of existing Caltrans right of way (All other project related work will be within State Right of Way)

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].)]

<p>Gabrielle Duff</p> <p>Print Name: Senior Environmental Planner or Environmental Branch Chief</p> <p><i>Gabrielle Duff</i> 7/16/19</p> <p>Signature Date</p>	<p>Mustapha laali</p> <p>Print Name: Project Manager</p> <p><i>Mustapha laali</i> 7/16/19</p> <p>Signature Date</p>
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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) ()

☐ 23 CFR 771.117(d): activity (d) ()

☒ **Activity 2 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.

<p>Gabrielle Duff</p> <p>Print Name: Senior Environmental Planner or Environmental Branch Chief</p> <p><i>Gabrielle Duff</i> 7/16/19</p> <p>Signature Date</p>	<p>Mustapha laali</p> <p>Print Name: Project Manager/DIA Engineer</p> <p><i>Mustapha laali</i> 7/16/19</p> <p>Signature Date</p>
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Date of Categorical Exclusion Checklist completion: 7/16/19 Date of ECR or equivalent : 7/16/19

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

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Purpose: The purpose of this project is to address drainage concerns.

Need: This project is needed to address drainage issues. Existing culvert is undersized, and it can't adequately convey water, both upstream and downstream; would result in flooding and erosion on SR-138.

The following technical documentation was prepared in conjunction with determining and addressing applicable National Environmental Policy Act (NEPA) and applicable California Environmental Quality Act (CEQA) documentation and compliance requirements.

Cultural Resources- Historic Property Survey Report (HPSR)- April 8, 2019

Air Quality Analysis Exemption Memorandum- January 9, 2019

Noise Study Memo- December 27, 2018

Initial Site Assessment- December 12, 2018

Natural Environment Study (NESMI)- June 11, 2019

CULTURAL RESOURCES

A Historic Property Survey Report (HPSR) and a Finding of Effect (FOE) was prepared on 4/8/2019. Caltrans, pursuant to Section 106 PA Stipulation X.B.2 and PRC 5024 MOU Stipulation X.B.2, has determined a **Finding of No Adverse Effect (without Standard Conditions)** is appropriate for this undertaking. **[SHPO concurrence was obtained on July 16th, 2019]**

- **CR-1:** If buried cultural resources are encountered during construction, it is Caltrans Policy that ALL construction work activities within 60 ft of the discovery shall stop until a qualified Archaeologist can evaluate the nature and significance of the find.
- **CR-2:** In the event that human remains are found, the county coroner shall be notified immediately and ALL construction work activities within 60 feet of the discover shall stop. Pursuant to Public Resources Code Section 5097.98, if the remains are thought to be Native American, the coroner will notify the Most Likely Descendant (MLD). The person who discovered will contact the District 8 Native American Coordinator (DNAC) Gary Jones at (909) 383-7505. Further provisions of PRC 5097.98 are to be followed as applicable.
- **CR-3:** The portions of the Crowder Canyon Archaeological District (CCAD) lying outside the ADI shall be designated as Environmentally Sensitive Areas, where all project-related activities or inadvertent disturbances shall be prohibited. The designation of Environmentally Sensitive Areas (ESA's) will protect the CCAD.
- **CR-4:** An Archaeological Monitor(s) shall be present during any ground disturbing construction or preconstruction-related activity in all areas designated as Archaeological Monitoring Areas (AMA), defined as the Area of Direct Impacts (ADI). A Native American Representative from San Manuel Band of Mission Indians may also be present during ground disturbing activities within the AMA. In the event that cultural deposits are uncovered, the archeological monitor shall be empowered to implement protective measure outlined above in CR-1 and CR-2.

ENVIRONMENTAL ENGINEERING

AIR QUALITY

In coordination with District Environmental Engineering, it was determined on January 9, 2019 that the project is exempt because it falls under one of the exempt projects listed in 40 CFR 93.126. An Air Quality Report is not needed.

NOISE

In coordination with District Environmental Engineering, it was determined on December 18, 2018 that the project is a Type III project per Traffic Noise Analysis Protocol and is exempt from traffic noise analysis. Therefore, a noise impact analysis is not required.

HAZARDOUS WASTE

In coordination with District Environmental Engineering, an Initial Site Assessment (ISA) checklist was prepared on 5/13/19. According to the checklist, the project's potential for hazardous waste involvement is "Low Risk"

The ISA provided the following and should be included in the PS&E package:

- **SSP 36-4:** Residue containing lead from paint and thermoplastic. Requires Lead compliance plan
- **NSSP 14-11.17:** if pipes contain asbestos
- **NSSP 14-11.05B:** If stockpiles must be placed on a liner

CATEGORICAL EXEMPTION/CATEGORICAL EXCLUSION DETERMINATION FORM
Continuation Sheet

BIOLOGICAL STUDIES

In coordination with District Biology, a Natural Environmental Study (Minimal Impact) was completed on June 11, 2019. The NES(MI) identified that the project will have "No effect" to any federally-listed species or their habitat, pursuant to the Federal Endangered Species Act. Caltrans has determined that the proposed project will result in "No Take" to any State-listed species or their habitat, pursuant to the California Endangered Species Act. The proposed project would not cause species of special concern or rare species to trend towards becoming listed. The permanent impact area as proposed by the culvert improvements from the December 2018 Caltrans design drawings would result in permanent impacts to less than 0.1 acres of Waters of the US/Waters of the State. Temporary impacts will be determined at the final design of the project. The proposed project will result in impacts to jurisdictional waters and would require the following regulatory permits: USACE 404 Nationwide General Permit, RWQCB 401 Water Certification, and the CDFW 1602 Streambed Alteration Agreement. Implementation of the avoidance and minimization measure identified in the Environmental Commitments Record (ECR), attached separately, will minimize impacts to species and their habitat

- **BIO-1:** Environmentally Sensitive Areas (ESAs) will be delineated prior to 95% Plans, Specifications and Estimates to protect special-status species habitat types and features.
- **BIO-2:** Prior to grading activities, a preconstruction special-status and listed plant species survey clearance will be conducted and if any special status plant species are identified and will be impacted by the project then the plants will be salvaged and transplanted to an existing population that occurs outside of the impact area or transplanted within the re-vegetated areas after construction is completed.
- **BIO-3:** The project has identified a Staging Area and approval of additional staging areas will require the Caltrans Biologist to analyze potential project impacts in order to receive authorization. Prior to the beginning of construction, the staging areas will be fenced with Temporary/High Visibility Fence and maintained to prevent the work areas from extending beyond the approved Staging Area and to avoid encroachment into the native desert habitat.
- **BIO-4:** SSP 14-6.03B: If project activities cannot avoid the nesting season (February 1-September 30), a Caltrans biologist will conduct a pre-construction nesting bird clearance survey. If an active nest is discovered, a no-construction buffer will be established, and a Caltrans biologist will monitor the nest until the young have fledged or the nest is no longer active.
- **BIO-5:** SSP 8-1.02C (1): Equipment Staging- Equipment storage, fueling, and staging areas shall be located on previously disturbed areas with minimal risks of direct impacts to riparian areas or other sensitive habitats. These designated areas shall be selected in such a manner as to prevent any runoff from entering sensitive habitat. Necessary precautions shall be taken to prevent the release of cement or other toxic substances into surface waters, including secondary containment. Refueling shall not occur within 50-feet of a drainage. Project-related spills of hazardous materials shall be reported to appropriate entities including but not limited to applicable jurisdictional cities, USFWS, CDFW, and RWQCB, and shall be cleaned up immediately and contaminated soils removed to approved disposal areas.
- **BIO-6:** SSP 14-1.01: Compliance Documentation- Caltrans will require all contractors to comply with the Act in the performance of work necessary for project completion. Evidence of compliance is required prior to Caltrans accepting or receiving materials or goods produced from outside of the ROW or through the use of facilities located outside the ROW, including but not limited to, noncommercial batch plants, haul roads, quarries, and similar operations. Copies of the compliance documents will be maintained at the work-site by the resident engineer.
- **BIO-7:** SSP 14-6.03D: Biological Monitor- A contractor-supplied biologist will be designated to oversee compliance of all protective measures and will monitor all construction-related activities. The biological monitor will notify the resident engineer of project activities that may not be in compliance. The resident engineer will stop work until the protective measures are implemented fully.
- **BIO-8** SSP 14-10.01: Materials and Spoils Control- Construction activities shall be limited to the smallest project footprint possible, including drainage features. Project-related debris, spoils, and trash will be contained and removed to a proper disposal facility. Materials and spoils will not be stored within any active drainage and a fence will be installed along the edges of the drainage to ensure that construction activities do not extend beyond the construction limits. Upon completion of construction, all refuse, including, but not limited to equipment parts, wrapping material, cable, wire, strapping, twine, bucket, metal or plastic containers, and boxes will be removed from the site and disposed of properly.

In conjunction with the results of the above technical documentation, the Avoidance and/or Minimization Measures(s) included in the ECR prepared for this project (attached separately), will be implemented during the Final Design (Plans, Specifications, and Estimates) phase and/or the Construction phase of this project, as applicable. If it is determined that revisions to the ECR are required for this project during the Final Design phase (PS&E), or during the construction phase, the ECR will be updated accordingly, based upon and following direct coordination with the Senior Environmental Planner assigned to this project.

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 to 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 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 Re-Evaluation is determined to be necessary, it would need to be completed before the associated scope of work (or project limits) change(s) being considered for the project were implemented.

An Environmental Certification will be required at the end of the Plans, Specifications, and Estimates phase.

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 Re-Evaluation (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

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requirements. If an Environmental Re-Evaluation 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 issued 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.

Governor's Office of Planning & Research

OCT 09 2019

STATE CLEARINGHOUSE