

2019071054

Notice of Exemption

Appendix E

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

From: (Public Agency): Caltrans
1750 E. 4th Street
Santa Ana CA
(Address)

Project Title: OK9800 Eastbound SR-91 Borings on Private Property & State's ROW Line (PM 7.9)

Project Applicant: Caltrans District 12

Project Location - Specific:

3400 & 3250 E. Fontera Street, City of Anaheim, Orange County CA.

Project Location - City: Anaheim Project Location - County: Orange

Description of Nature, Purpose and Beneficiaries of Project:

Caltrans will conduct drilling activities (10-15 borings) for Phase II Site Investigation.

Name of Public Agency Approving Project: Caltrans

Name of Person or Agency Carrying Out Project: Caltrans District 12

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));
[X] Categorical Exemption. State type and section number: Common Sense Exemption
Statutory Exemptions. State code number:

Reasons why project is exempt:

Common Sense Exemption

Lead Agency
Contact Person: Smita Deshpande Area Code/Telephone/Extension: (657) 328-6151

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? [X] Yes [] No

Signature: [Signature] Date: July 23, 2019 Title: Branch Chief/Generalist Branch

Governor's Office of Planning & Research

[X] Signed by Lead Agency [] Signed by Applicant

JULY 29 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

CATEGORICAL EXEMPTION/CATEGORICAL EXCLUSION DETERMINATION FORM

12-ORA-91	7.9	0K9800/1200020098	Not Applicable
Dist./Co./Rte. (or Local Agency)	P.M./P.M.	E.A/Project No.	Federal-Aid Project No. (Local Project)/Project No.
<p>PROJECT DESCRIPTION: (Briefly describe project including need, purpose, location, limits, right-of-way requirements, and activities involved in this box. Use <i>Continuation Sheet</i>, if necessary.)</p> <p>Caltrans will conduct drilling activities (about 10-15 borings), between five (5) and 30 feet deep and eight (8) inches in diameter, at SA Recycling Center/DBW Metals located at 3400 and 3250 East Frontera Street (respectively), in the City of Anaheim, immediately adjacent to Eastbound (EB) State Route 91 (SR-91), at Post Mile 7.9. Boring operations will occur on private property limited to parcel numbers: 360-071-14; 360-071-28, and; 360-071-24. Railroad spurs and a private use heliport (Airport Identifier CL- 44/active) are located on the site (Canal Street Disposal Station #4, LF-3618/SWIS #30-CR-0148 a former Super Fund site), covered with a concrete cap in 1997. Though not anticipated, if field work occurs in State's Right of Way (ROW), a Caltrans Encroachment Permit should be obtained. Drilling machinery will include hand augers and low clearance drill rig(s), plus ancillary equipment, with a maximum upright height (vertical clearance) of 35 feet above ground. Work activities will follow the Caltrans-approved <i>(continued on next page)</i></p>			
<p>CALTRANS CEQA DETERMINATION (Check one)</p> <p><input type="checkbox"/> Not Applicable – Caltrans is not the CEQA Lead Agency <input type="checkbox"/> Not Applicable – Caltrans has prepared an Initial Study or Environmental Impact Report under CEQA</p> <p>Based on an examination of this proposal, supporting information, and the above statements, the project is:</p> <p><input type="checkbox"/> Exempt by Statute. (PRC 21080[b]; 14 CCR 15260 et seq.)</p> <p><input type="checkbox"/> Categorically Exempt Class (PRC 21084; 14 CCR 15300 et seq.)</p> <p>Based on an examination of this proposal and supporting information, the following statements are true, and exceptions do not apply:</p> <ul style="list-style-type: none"> • 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. <p><input checked="" type="checkbox"/> 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>			
<p>Smita Deshpande</p> <p>Print Name: Senior Environmental Planner or Environmental Branch Chief</p>		<p>Brian Santos</p> <p>Print Name: Project Manager</p>	
<p><i>Smita Deshpande</i> July 23, 2019</p> <p>Signature Date</p>		<p><i>B.A.S.</i> 7/23/19</p> <p>Signature Date</p>	
<p>NEPA COMPLIANCE</p> <p>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:</p> <ul style="list-style-type: none"> • 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). 			
<p>CALTRANS NEPA DETERMINATION (Check one)</p> <p><input checked="" type="checkbox"/> 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:</p> <p><input checked="" type="checkbox"/> 23 CFR 771.117(c): activity (c) (24)</p> <p><input type="checkbox"/> 23 CFR 771.117(d): activity (d) ()</p> <p><input type="checkbox"/> Activity ___ listed in Appendix A of the MOU between FHWA and the State</p> <p><input type="checkbox"/> 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>			
<p>Smita Deshpande</p> <p>Print Name: Senior Environmental Planner or Environmental Branch Chief</p>		<p>Brian Santos</p> <p>Print Name: Project Manager/DLA Engineer</p>	
<p><i>Smita Deshpande</i> July 23, 2019</p> <p>Signature Date</p>		<p><i>B.A.S.</i> 7/23/19</p> <p>Signature Date</p>	
Date of Categorical Exemption Checklist completion: 7/23/19		Date of ECR or equivalent: 7/23/19	

CATEGORICAL EXEMPTION/CATEGORICAL EXCLUSION DETERMINATION FORM

Continuation Sheet

12-ORA-91	7.9	OK9800/1200020098	Not Applicable
<small>Dist.-Co.-Rte. (or Local Agency)</small>	<small>P.M./P.M.</small>	<small>E.A/Project No.</small>	<small>Federal-Aid Project No. (Local Project)/Project No.</small>
<p><i>Continued from page 1:</i> Phase II Site Investigation Workplan. Borings, core samples/data collection will inform a Phase II Site Investigation Report, an Aerial Deposited (ADL) Study and locate limited sub-surface utilities/pipes for a <i>proposed-not yet approved</i> SR-91 Build Alternative (OK9800/1200020098). A Permit to Enter (PTE) private property is required. Work activities are anticipated to begin summer/fall of 2019, duration (work window) includes up to 16 days for borings and an additional 24 days for storage of excess waste materials, totaling 40 days. Field work is limited to daylight hours. The Orange County Health Agency and Santa Ana Regional Water Quality Board have enforcement powers at SA Recycle Center/DBW Metals. The receiving water body is the Santa Ana River.</p>			

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

No significant environmental consequences are anticipated with the drilling operations as proposed. In addition to the measures relating to construction noise, air pollution, water pollution, erosion, the following CONDITIONS are REQUIRED:

- Permit to Enter (PTE) SA Recycle Center/DBA Metals Recycling is required.
- Follow the Caltrans-approved Phase II Site Investigation *Workplan* including coordination with Santa Ana Regional Water Quality Board & Orange County Health Agency.
- Survey and Biological Monitoring required if project (field activity) occurs during Nesting Bird Season.
- The project must conform to the Caltrans Statewide NPDES Storm Water Permit (Order No. 2012-0011-DWQ, NPDES No. CAS000003) for storm water and non-storm water discharges from Caltrans properties, facilities, and operations.
- The Contractor is subject to Caltrans 2018 Standard Specifications including *Section 13 Water Pollution Control*.
- Construction Site Best Management Practices (BMPs) for protecting water quality during construction shall follow the latest version of the *Caltrans Storm Water Quality Handbooks - Construction Site Best Management Practices (BMPs) Manual*.
- Contractor will implement a Water Pollution Control Program (WPCP) will identify potential water quality impacts associated with the soil borings. This includes the identification of potential sources of pollutants that may be associated with the use of drilling equipment and materials used while conducting soil borings. In addition, the drilling operation must include Best Management Practices (BMPs) to avoid and minimize impacts from the potential sources identified in the operation such as, spill prevention control, concrete waste control, materials pollution control and non-storm water runoff.
- Timely disposal of excess waste materials (temporarily stored at SA Recycle Center/DBW Metals Recycling) per Phase II Site Investigation *Workplan* required.
- Follow and implement the attached Environmental Commitment Record (ECR - Measures) during and throughout all field work activities including: Required Permits/Agreements, Approved Phase II Site Investigation *Workplan*, Survey(s), Mobilization, Drilling Activities, Staging & Storage, and Transport/Disposal of excess waste materials to a Caltrans-approved Landfill.

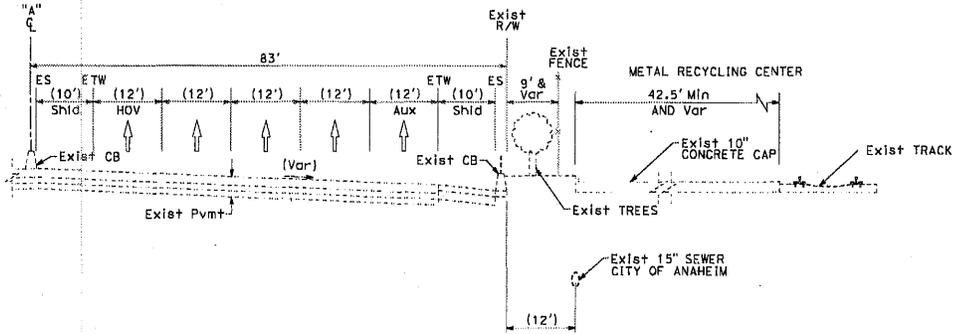
Technical Studies/Reports/Memos used to inform this CE/CE include:

- NEPA CE Checklist, Dove, July 23, 2019
- Air Quality Conformity Checklist, Dove, July 23, 2019
- Bio Memo/Sato, July 19, 2019
- Community Impact Memo, Dove, July 22, 2019
- Cultural Memo, Wright, July 18, 2019
- Water Quality Memo, Salas, July 22, 2019
- Hazardous Waste Technical Documentation
 - √ OK9800 Initial Site Assessment, July 11, 2018
 - √ OK9800 Phase II Site Investigation *Workplan*, January 2019
 - √ Emails from Environmental Engineering (Aurasteh/Yaghoubi), July 2019

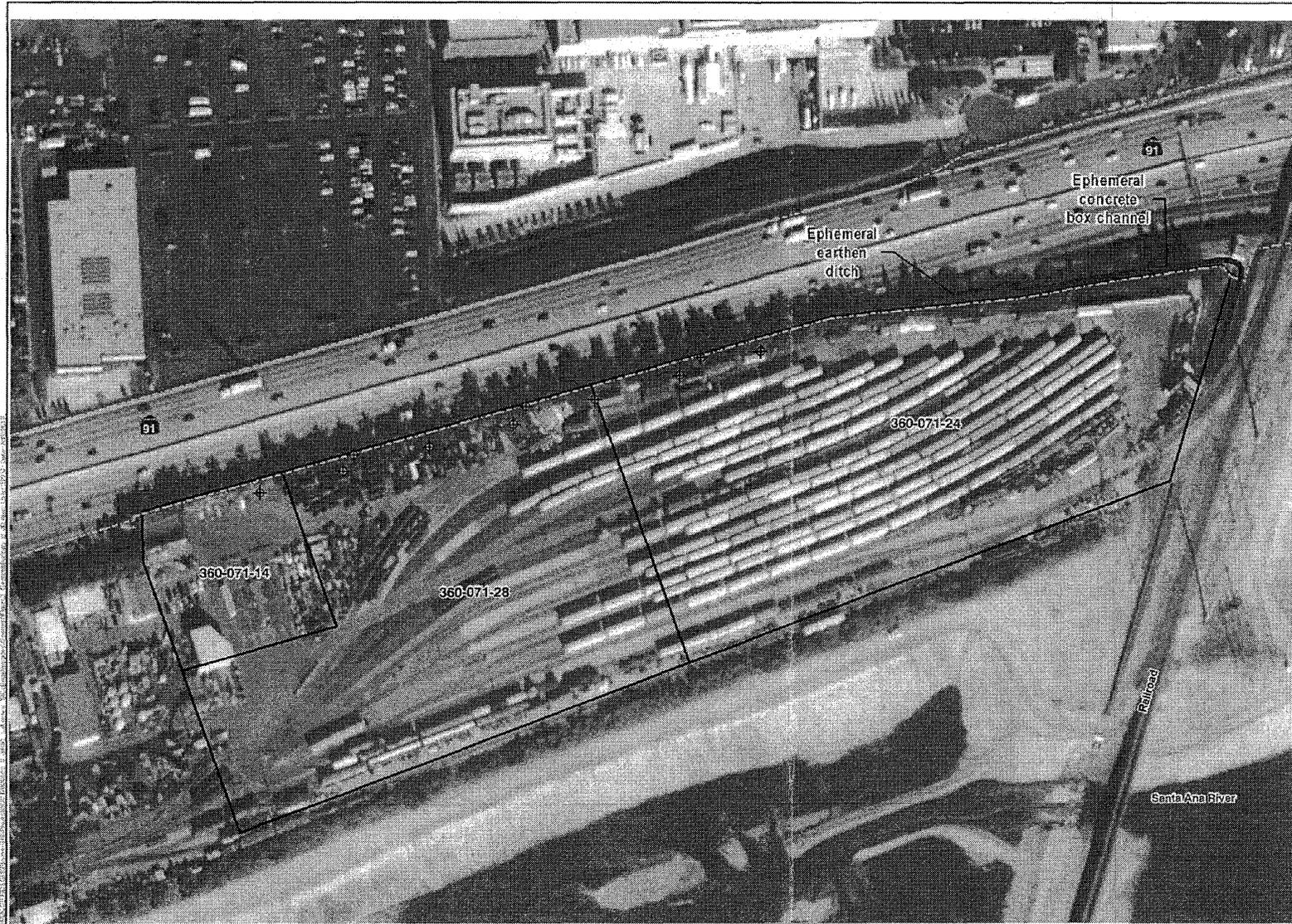
Governor's Office of Planning & Research

JULY 29 2019

STATE CLEARINGHOUSE



EB STATE ROUTE 91
 AT THE METAL RECYCLING CENTER



- Legend**
- ✦ Geotech Borings
 - - - Existing Caltrans Right-of-Way
 - Jurisdictional Feature
 - Parcels

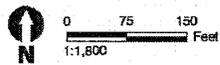


Figure 2
Proposed Geotechnical Boring Locations
 Eastbound SR-91 Geotechnical Borings at Former Canal Street Landfill
 EA0K9800; EFIS ID 12-0002-0098; 12-ORA-91 PM 7.9