

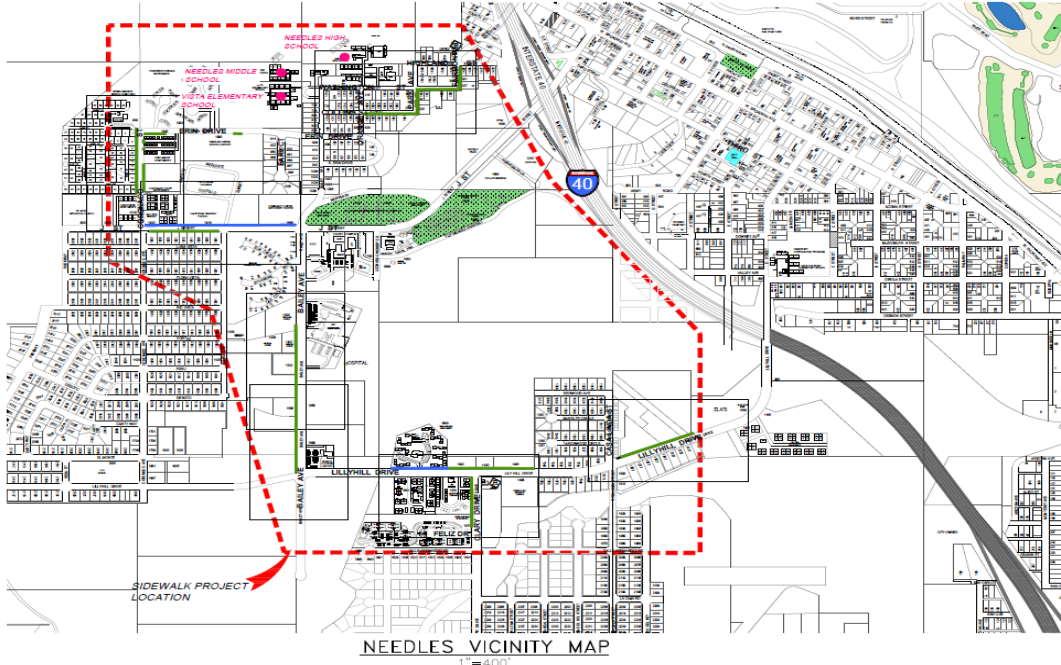
for

ACTIVE TRANSPORTATION PROGRAM (ATP) CYCLE 6 PROJECT (PPNO:1299)
Engineering for Schools and Seniors' Sidewalk Improvement Plans

City of Needles, CA

Project Location Map in the City of Needles

CITY OF NEEDLES
DEPARTMENT OF PUBLIC WORKS - ENGINEERING DIVISION
ACTIVE TRANSPORTATION PROGRAM (ATP) CYCLE 6 PROJECT (PPNO:1299)
ENGINEERING FOR SCHOOLS AND SENIORS SIDEWALK IMPROVEMENT PLANS



PROJECT LOCATION NUMBER KEY table with columns: NO, STREET NAME, FROM, TO, SHEET

Legend for symbols: SCHOOL LOCATIONS, PROPOSED CYCLE 6 APPLICATION IN-FILL SIDEWALK, PROPOSED CYCLE 6 APPLICATION SIDEWALK REMOVE AND REPLACE, PROJECT LOCATION

Legend for line styles: PROPOSED STREET WIDENING, PROPOSED SIDEWALK, RW, CENTERLINE, CITY HALL



Project metadata including revision table, city logos, and permit information.

Technical drawings and photos: Bulb-out retrofit plan, Verdugo Avenue detail, and construction photos of sidewalk improvements.

PREPARED FOR:



CITY OF NEEDLES
Community Development Department
817 Third Street
Needles, CA 92363



PREPARED BY:



MINAGAR & ASSOCIATES, INC.
ITS - Traffic/Civil/Electrical Engineering - Transportation Planning - Homeland Security - CEM
23282 Mill Creek Drive, East Tower, Suite 120
Laguna Hills, CA 92653



October 31, 2024

CEQA CLEARANCE

FOR

ATP Cycle 6 (PPNO:1299) SCHOOLS AND SENIORS' SIDEWALK IMPROVEMENT PROJECT

FOR THE

CITY OF NEEDLES

PRESENTED TO:



CITY OF NEEDLES

Community Development Department
817 Third Street
Needles, CA 92363

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ITS – Traffic/Civil/Electrical Engineering – Transportation Planning – Homeland Security – CEM
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OCTOBER 31, 2024

TABLE OF CONTENTS

Section 1 – Cover Letter	4
Section 2 – Project Description	5
Section 3 – CEQA Basis & Definition	6

LIST OF APPENDICES

**Appendix A: City of Needles’ ATP Cycle 6 – Preliminary Engineering Plans for
Schools and Seniors Sidewalk Project**

Appendix B: CEQA Process Flow Chart



MINAGAR & ASSOCIATES, INC.

Traffic/Civil/Electrical Engineering – ITS – Transportation Planning & CEM



Section 1 – Cover Letter

October 31, 2024

Ms. Kathy Raasch
Director of Development Services/Capital Projects
City of Needles
Community Development Department
817 Third Street
Needles, CA 92363

Re: **ATPL-5220(011) Schools and Seniors' Sidewalk Improvement Project**
ATP Cycle 6 (PPNo:1299), CEQA Assessment

Dear Ms. Raasch,

On behalf of the Minagar & Associates, Inc. Team, I would like to present to you the results of our CEQA assessment for the **for Schools and Seniors' Sidewalk Project** in the City of Needles, CA.

- Pursuant to Article 19 of the State of California's CEQA Guidelines, the proposed City of Needles' ATP Cycle 6 Schools and Senior Sidewalk Improvement Project, ATPL-5220(011) & (PPNo: 1299) has been found to be **Categorically Exempt** from the requirements of CEQA under State Guidelines (Section §15300.4), Class (1) (Existing Street Facilities) because Class (1) "consists of existing streets, sidewalks and gutters" and, therefore, the City of Needles directs staff to file the notice of exemption.

Please feel free to contact me directly with any questions you might have at (949) 707-1199 ext. 2# or via e-mail at minagarf@minagarinc.com. We do look forward to the completion of the PS&E package and opportunity to work with staff and the local community in improving conditions for pedestrians and bicyclists.

Sincerely,
MINAGAR & ASSOCIATES, INC. (a State of California SBE Corporation)



Federal UEI No: ZDF6N7LE3EN9
Federal SAM CAGE CODE: 7RM72
DUNS No: 946106762
California State DGS SBE No:39170

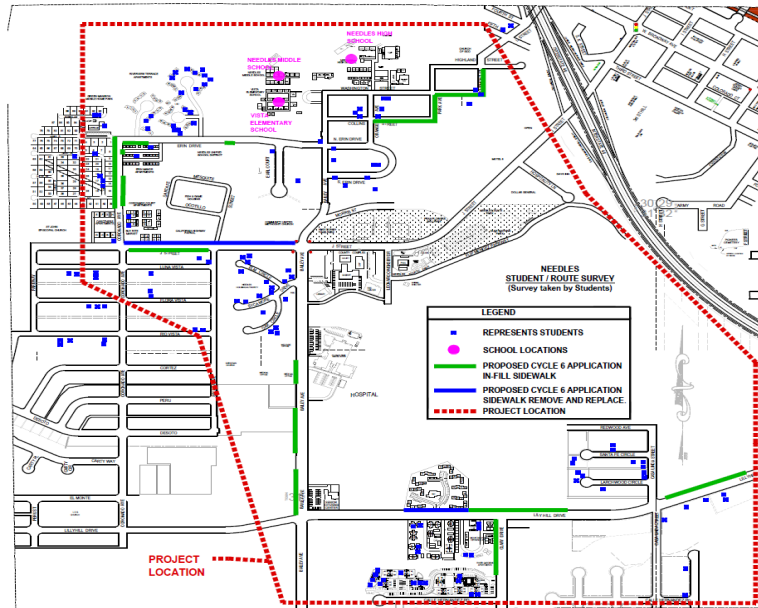
Fred Minagar, MS, RCE, PE, FITE
President/Senior Project Manager





Section 2 – Project Description

The purpose of this project is to design curb, gutter, sidewalk, driveways, access ramps and AC pavement improvements along various local streets close to schools, senior center and senior housing all within the City of Needles' boundaries. All the preliminary engineering plans for the subject project are included in **Appendix A**. All the improvements shall be along the 10 local streets and arterials as shown below:



Listed below are the total lengths of both in-fill and remove/replace sidewalks:

- Total Length of Proposed In-Fill Sidewalks: 6,013 LF
- Total Length of Proposed Remove and Replace Sidewalks: 1,558 LF

<div style="text-align: right;"> </div>		
City of Needles Active Transportation Program (ATP) Cycle 6 - Engineering for Schools & Seniors Sidewalk Improvements Total Linear Feet of Sidewalk Construction		
Line	Type of Proposed Sidewalk	Linear Feet
1	In-Fill Sidewalk	1346
2 to 6	In-Fill Sidewalk	1471
7	Remove and Replace Sidewalk	1239
8	In-Fill Sidewalk	703
9 & 10	In-Fill Sidewalk	1425
11A	Remove and Replace Sidewalk	209
11B	In-Fill Sidewalk	748
12	In-Fill Sidewalk	352
13	In-Fill Sidewalk	716
Total Proposed In-Fill:		6013
Total Proposed Remove and Replace:		1448



Section 3 – CEQA Basis & Definitions

Introduction:

State law requires that every lead agency have defined rules or guidelines to implement the California Environmental Quality Act of 1970 (CEQA). The laws and rules governing the CEQA process are contained in the CEQA statute, Public Resources Code (PRC) §§21000 and following, the CEQA Guidelines (California Code of Regulations, Title 14, Section 15000 and following, referred to as “Guidelines” herein), and locally adopted CEQA procedures. This document represents the City of Needles (City) “Rules and Procedures for the Implementation of CEQA” hereinafter referred to as the CEQA Rules & Procedures, and is intended to update and replace, in its entirety, the previous City guidance document dated December 20, 1988 and as amended in 1992. These CEQA Rules & Procedures shall be applicable to all City Department(s) that have responsibilities under CEQA as either a “Lead Agency” or a “Responsible Agency.” The Community Development Department is hereby designated as the principal “Lead Agency” Department for the City with respect to CEQA compliance.

Purpose:

These CEQA Rules and Procedures provide guidance to City Departments in the implementation of CEQA and the Guidelines. They are intended to provide objective and specific direction for the processing of projects pursuant to CEQA and to ensure the City produces consistent and adequate environmental documents.

These procedures are not meant to replace the State Guidelines but to implement and tailor the general provisions of the State Guidelines to the specific operations of the City. The City may administer its responsibilities under CEQA in any manner which meets the requirements of CEQA, notwithstanding the specific procedures and provisions set forth in these procedures. If any of these procedures are in conflict with or contrary to any provision of the State Guidelines as they exist or may be amended hereafter, the State Guidelines shall take precedence.



Basis and Definitions:

What is CEQA?

The California Environmental Quality Act (CEQA) is a State law that is intended to provide disclosure of the potential environmental impacts that may result from implementation of a project to both the public and decision maker. If a project subject to CEQA will not cause any significant adverse environmental impacts, a public agency may adopt a brief document known as a Negative Declaration (ND) or a Mitigated Negative Declaration (MND). If the project may cause adverse environmental impacts, the public agency must prepare a more detailed study called an Environmental Impact Report (EIR). An EIR contains in-depth studies of potential impacts, measures to reduce or avoid those impacts, and an analysis of alternatives to the project. A key feature of the CEQA process is the opportunity for the public to review and provide input on both NDs and EIRs. The CEQA process supports identifying feasible mitigation and/or project alternatives that can minimize or avoid environmental impacts. However, in some cases, significant and unavoidable impacts may result even when all feasible mitigation measures are implemented. CEQA does not require that projects be denied if significant impacts would result. A flow chart describing the CEQA process is provided in Appendix B.



A number of resources are available that provide useful guidance for implementation of CEQA. These include the Association of Environmental Professionals which provides topic papers on a number of CEQA issues, and the Governor's Office of Planning and Research (OPR), which maintains a website that provides CEQA technical advisories, published cases, and the latest updates to CEQA among other important resources. In addition, the CEQA Guidelines §§15350 to 15387 defines a number of important terms used throughout the Guidelines, some of which are summarized below.

What is a "Project" Under CEQA? (Guidelines §15378)

"Projects" covered by CEQA include any activity carried out, approved, or funded by a California public agency that may result in an adverse physical change in the environment, either directly or indirectly. If the activity is not a "project," then CEQA does not apply. CEQA typically applies to discretionary projects.

Specifically, Guidelines §15378 (a) defines a project as:

[T]he whole of an action, which has a potential for resulting in either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment, and that is any of the following:

- 1) An activity directly undertaken by any public agency including but not limited to public works construction and related activities clearing or grading of land, improvements to existing public structures, enactment and amendment of zoning ordinances, and the adoption and amendment of local General Plans or elements thereof pursuant to Government Code Sections 65100–65700.
- 2) An activity undertaken by a person which is supported in whole or in part through public agency contacts, grants, subsidies, loans, or other forms of assistance from one or more public agencies.
- 3) An activity involving the issuance to a person of a lease, permit, license, certificate, or other entitlement for use by one or more public agencies.

Discretionary Project (Guidelines §§15002(i), 15357)

A discretionary project is a project that requires the exercise of judgement or deliberation by a decision maker. Discretionary projects are subject to CEQA.

Ministerial Project (Guidelines §§15002(i), 15268, 15369)

A ministerial project requires little or no judgment by a public official. The City has no discretion, but is legally compelled to grant the approval if the required factual showing is made. Ministerial projects are exempt from the requirements of CEQA and do not require the preparation of a Notice of Exemption (NOE) or compliance with other exemption procedures. As stated in the guidelines, the determination of what is "ministerial" can most appropriately be made by the particular public agency involved based upon its analysis of its laws and each public agency should make such



determination either as a part of its implementing regulations or on a case-by-case basis. The following examples are City project types that generally qualify as ministerial under CEQA:

- a) Issuance of Building Permits
- b) Issuance of Certificates of Occupancy
- c) Issuance of licenses (business licenses, etc.)
- d) Issuance of a permit to do street work
- e) Issuance of an Encroachment Permit
- f) Approval of individual utility service connections and disconnections.
- g) Approval of a final map in compliance with the conditions of approval of the tentative map and consistent with all applicable laws.
- h) Approval of Lot Line Adjustments if consistent with all City requirements
- i) Sign permits (excluding sign programs), not requiring Conditional Use Permits or other hearings.
- j) Approval of Special Event Permits
- k) Accessory Dwelling Units consistent with the Municipal Code

Where a project involves an approval that contains elements of both ministerial and discretionary actions, the project will be deemed to be discretionary and will be subject to the requirements of CEQA. The decision whether the approval of a proposed project or activity is ministerial in nature may involve or require interpretation of the language of the legal mandate, and should be made on a case-by-case basis.

What is a Lead Agency? (Guidelines §15367)

The lead agency is the public agency that has primary responsibility for approving a project. For this ATP Cycle 6, the City of Needles, is considered the lead agency. Additional lead agency guidance is available in Guidelines §15051.

Environmental Review:

The first step in determining the appropriate processing steps is to determine if the activity is a project under CEQA. A detailed CEQA decision flow chart is provided in Attachment A. If the project is a ministerial action, no further action is required. If the project qualifies for an exemption which is the case for this project (refer to Exemption Procedures, in the following sections), an NOE is prepared and to be filed after project approval. If the project may have a potentially significant effect on the environment, an Initial Study may be prepared (not applicable for this project) to determine whether a ND/MND or an EIR is appropriate. If it is known whether an EIR will be prepared, preparation of an Initial Study is not required, but may be used to define the scope of the EIR concurrent with release of the Notice of Preparation.

Exemption Procedures:

Pursuant to CEQA Guidelines §15061, a project is exempt from CEQA if:



- The project is exempt by statute.
- **The project is exempt pursuant to a categorical exemption, this ATP project.**
- The activity is covered by the common sense exemption that CEQA applies only to projects which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA.
- The project is exempt pursuant to the provisions of Article 12.5 which provides for exemptions for Agricultural Housing, Affordable Housing and Residential Infill Projects.

Types of Exemptions:

Statutory Exemptions (Guidelines §§15260 to 15285)

Statutory exemptions are projects specifically excluded from CEQA consideration as defined by the State Legislature. These exemptions are applied to any given project that falls under its definition, regardless of the project's potential impacts to the environment. Example statutory exemptions include feasibility and planning studies, emergency permits, family day care homes for up to fourteen children, and air quality permits. A project that will be rejected or disapproved by a public agency may be found statutorily exempt (Guidelines §15270(b)).

Categorical Exemptions (Guidelines §§15300 to 15332)

Categorical exemptions are descriptions of types of projects which the Secretary of the Resources Agency have determined may not have a significant effect on the environment. Unlike statutory exemptions, categorical exemptions are not absolute. There are exceptions to the exemptions depending on the nature or location of the project. If an exception pursuant to the Guidelines §15300.2 applies, the project would not be exempt. Specifically, the following types of projects would not be exempt:

- located in sensitive environments;
- would result in cumulative impacts;
- have a significant effect on the environment;
- affect scenic highways;
- affect historical resources; and
- are hazardous waste sites

The Director of the Community Development Department of the City of Needles or designated staff has also assessed that this ATP project qualifies for an exemption.

Guidelines §15300.4 states that each public agency shall, in the course of establishing its own procedures, list those specific activities that fall within each of the exempt classes. There are 33 classes of Categorical Exemptions (referred to as Class 1, Class 2, etc.) provided in the Guidelines. Of the 33 classes listed in the guidelines (Guidelines Sections 15301 to 15333), the classes cited below and accompanying examples represent the most commonly used categorical exemptions by the City. Please refer to the Guidelines for the complete list of exemptions and explanations:

Class 1 - Existing facilities, including existing highways and streets, sidewalks, gutters, bicycle and pedestrian trails and similar facilities, this includes road grading for the purpose of public safety (see discussion of City projects that would generally



be expected to fall under 15301 (c) below), and other alterations such as the addition of bicycle facilities, including but not limited to bicycle parking, bicycle-share facilities and bicycle lanes, transit improvements such as bus lanes, pedestrian crossings, street trees, and other similar alternations that do not create additional automobile lanes;

Class 2 - Replacement or reconstruction of existing structures and facilities, where a new structure would be located on the same site and have approximately the same purpose and capacity as the structure being replaced;

Class 3 - New construction or conversion of small structures, where only minor modifications are made to the exterior. This class has limits in terms of the maximum that would be allowed depending on the type of use (e.g., multi-family residential unit totaling no more than four dwelling units);

Class 4 - Minor alterations to land, such as minor trenching or backfilling, fuel management, creation of bicycle lanes on existing rights-of-ways, and maintenance dredging;

1. Class 5 - Minor alterations in land use limitations, applies to areas with an average slope of less than 20% not resulting in changes in the land use or density;

2. Class 11 - Accessory structures, including the construction or placement of minor structures accessory to existing facilities such as signage, small parking lots, or seasonal/temporary use items;

Class 15 - Minor land divisions, applicable to property divisions in urban areas creating up to four parcels when in conformance with the General Plan and zoning; and

Class 32 - In-fill development projects, where the project size is five acres or less and substantially surrounded by urban uses and consistent with the general plan and zoning.

As guidance for City capital projects, **the Class 1 Categorical Exemption under Section 15301**

(c) include, but are not limited to:

a. **Minor widening of less than a lane width, and/or adding paved shoulders to existing streets;**

b. Pavement reconstruction, resurfacing, rehabilitation and placement of seal coats;

c. Minor operational improvements to drainage facilities;

d. Repair work on bridge structures;

e. Reconstruction and/or repair of existing stream crossings;

f. Maintenance of man-made water features;

g. Installation of new traffic control systems, including signs, signals, interconnect, cameras, channelization of intersections, pavement striping, and other traffic control devices;

h. Modification of traffic control systems and devices including addition of new elements such as signs, signals, and controllers;

i. Repair and maintenance of a highway and all its appurtenant facilities including replacement of damaged or inadequate facilities, or **upgrade of facilities to meet current Americans with Disabilities Act requirements;**

j. Minor operational improvements to drainage facilities;

k. **Modification of existing features such as curbs**, headwalls, slopes and ditches within the right of way to improve roadway safety;

l. Removal and/or replacement of distinctive roadway markings such as painted stripes, raised pavement markers, thermoplastic, tape or raised bars;

m. Addition of auxiliary lanes when required for purposes such as weaving, turning, climbing, speed change, or for lane changing between adjacent interchanges or intersections;





- n. Landscaping within City owned property, rights of way, or within the California Aqueduct easement for the public's benefit;
- o. Addition of non-motorized trails including Class 1 bike path trails within right-of-way, or within easements;
- p. Addition or replacement of devices such as fencing, guardrails, safety barriers, guideposts and markers;
- q. Repair and maintenance of City owned facilities, parking lots, carports, and gates.

Conclusion:

*Pursuant to Article 19 of the State of California's CEQA Guidelines, the proposed City of Needles' ATP Cycle 6 Schools and Senior Sidewalk Improvement Project, ATPL-5220(011) & (PPNo: 1299) has been found to be **Categorically Exempt** from the requirements of CEQA under State Guidelines (Section §15300.4), Class (1) (Existing Facilities) because Class (1) "consists of existing streets, sidewalks and gutters" and, therefore, the City of Needles directs staff to file the notice of exemption.*





APPENDIX A

City of Needles ATP Cycle 6 Preliminary Engineering Plans for Schools & Seniors Sidewalk Improvement Project



APPENDIX B

Governor's office of Planning and Research CEQA Process Flow Chart



CEQA Process Flowchart

