RESOLUTION AUTHORIZING THE CITY MANAGER TO APPROVE THE FILING OF A NOTICE OF EXEMPTION FOR THE FIBER OPTIC NETWORK EXPANSION-
WESTON RANCH AND SJRTD OFFICES PROJECT (CITY PROJECT NO. 10-05,
FEDERAL PROJECT NO. CML-5008(096))

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF STOCKTON, AS
FOLLOWS:

1. The filing of a Notice of Exemption, under the California Environmental
Quality Act (CEQA Exemption File No. CE006-11), for the Fiber Optic Network
Expansion-Weston Ranch and SJRTD Offices (City Project 10-05, Federal Project
No. CML-5008(096)) is hereby approved, a copy of which is attached as Exhibit 1.

2. The City Manager is hereby authorized to take whatever actions are
appropriate to carry out the purpose and intent of this resolution.

PASSED, APPROVED, and ADOPTED October 18, 2011

ATTEST:

ANN JOHNSTON
Mayor of the City of Stockton

BONNIE PAIGE, City Clerk
of the City of Stockton

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NOTICE OF EXEMPTION PURSUANT TO PUBLIC RESOURCES CODE SECTION 21152(B) AND CALIFORNIA CODE OF REGULATIONS TITLE 14, SECTION 15062

PROJECT DATA
Project Title: Fiber Optic Network Expansion
CEQA Exemption File No.: CE006-11
Applicant: City of Stockton Public Works Department
Project Description/Location: Fiber Optic Network Expansion at Weston Ranch and SJRTD Office, Federal Project No. CML5008 (090); City Project No. 10-05

DETERMINATION/FINDING OF EXEMPTION
The above-described activity/project is exempt from the environmental assessment requirements of the California Environmental Quality Act (CEQA) pursuant to the following section(s) of the State CEQA Guidelines (California Code of Regulations, Title 14):

- The activity is not a "project" as defined in Section 15378.
- The activity is exempt under the "general rule" that CEQA applies only to projects which have the potential for causing significant environmental effects, as specified in Section 15061(B)(3).
- The project has been granted a "Statutory Exemption" under Article 18 and, specifically, by Section(s):
  - The project has been granted a "Categorical Exemption" under Article 19 and, specifically, by Section(s):
    - 15301, Class 1.

BASIS FOR FINDING OF EXEMPTION
- The activity does not qualify as a project and/or clearly could not have a significant effect on the environment and, therefore, CEQA does not apply.
- The activity constitutes a discretionary project under the City's jurisdiction and qualifies as a project which has been determined not to have a significant effect on the environment and, therefore, is exempt from the provisions of CEQA under the above-noted statutory or categorical exemption(s).

MICHAEL LOCKE, DEPUTY CITY MANAGER
INTERIM COMMUNITY DEVELOPMENT DIRECTOR

By: SENIOR PLANNER JENNY LIAW

July 28, 2011
(DATE OF PREPARATION)

(Date of Final Approval)

AFFIDAVIT OF FILING AND POSTING
I declare that on the date stamped above, I received and posted this notice or included it on a list of such notices which was posted as required by California Public Resources Code Section 21152(B). Said notice or list of notices will remain posted for 35 days from the filing date.

Signature

Posting Period Ending Date

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CATEGORICAL EXEMPTION/ CATEGORICAL EXCLUSION DETERMINATION FORM

10-SJ-City of Stockton  
P.M./P.M.  
E.A. (State Project)  
Federal-Aid Project No. (Local project)/Proj. No.

PROJECT DESCRIPTION:
(Briefly describe project, purpose, location, limits, right-of-way requirements, and activities involved.)

The City of Stockton proposes to expand its existing fiber optic network in the Weston Ranch neighborhood. The proposed project would improve communication between existing traffic signals and the City's downtown Traffic Management Center to increase the efficiency of the bus rapid transit system. Construction would occur on paved or previously disturbed areas within City right of way. This project is a Categorical Exclusion pursuant to NEPA unless: 1) the scope of the project changes to include additional activities or areas; or 2) there is unforeseen discovery of sensitive or cultural resources.

CEQA COMPLIANCE (for State Projects only)
Based on an examination of this proposal, supporting information, and the following statements (See 14 CCR 15300 et seq.):
- 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.

CALTRANS CEQA DETERMINATION (Check one)
- Exempt by Statute, (PRC 21080[b], 14 CCR 15260 et seq.)
- Based on an examination of this proposal, supporting information, and the above statements, the project is: Not applicable

Categorically Exempt Class: (PRC 21084, 14 CCR 15300 et seq.)
- Categorically Exempt Class: Not applicable

Print Name: Acting Environmental Branch Chief  
Print Name: Project Manager/DLA Engineer

Signature  
Date  
Signature  
Date

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) (http://www.fhwa.dot.gov/hep/23ch771.htm - sec.771.117).

In non-attainment or maintenance areas for Federal air quality standards, the project is either exempt from all conformity requirements, or conformity analysis has been completed pursuant to 42 USC 7506(c) and 49 CFR 93.

CALTRANS NEPA DETERMINATION (Check one)
- Section 6004: 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 (MOU) dated June 7, 2010, 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)(21)
  - 23 CFR 771.117(d): activity (d)(__)
- Activity listed in the MOU between FHWA and the State

Section 6005: Based on an examination of this proposal and supporting information, the State has determined that the project is a CE under Section 6005 of 23 U.S.C. 327.

Jasmine Nonge for Parminder Singh

Print Name: Environmental Branch Chief  
Print Name: Acting DLA Engineer

Signature  
Date  
Signature  
Date

Briefly list environmental commitments on continuation sheet. Reference additional information, as appropriate (e.g., air quality studies, documentation of conformity exemption, FHWA conformity determination if Section 6005 project; §106 commitments; §4(f); §7 results; Wetlands Finding; Floodplain Finding; additional studies; and design conditions). Revised June 7, 2010

CE for CML-5008(066), Stockton Fiber Optic Network Expansion Project
Build Alternative

The City of Stockton proposes to expand its existing fiber optic network to include a portion of the Weston Ranch neighborhood at the southern end of the City. The proposed project would provide communication capabilities between 15 existing traffic signals in Weston Ranch and the City’s Traffic Management Center (TMC) in downtown Stockton, and would connect the San Joaquin Regional Transit District (SJRTD) offices to the City’s traffic signal communication network.

The purpose of the project is to optimize signal timing and improve the efficiency of the bus rapid transit system, thereby reducing pollutant emissions and improving roadway safety. This would be accomplished in two ways. First, the infrastructure to be installed would allow City staff to monitor operation of the traffic signals, collect real-time traffic data, and adjust signal timing and coordination from the TMC. Second, SJRTD personnel would be able to track Metro Express buses along Bus Rapid Transit routes in real time through the City’s closed circuit television and traffic management system, which would improve on-time performance of buses and allow monitoring of buses and bus shelters.

All fiber optic cable installation and construction work would occur within City of Stockton right of way at two locations (see attached Figures 1 and 2):

Weston Ranch Location

A total of 21,000 feet of fiber optic cable would be installed in the Weston Ranch neighborhood underneath the following road segments:

- Carolyn Weston Blvd. between Manthey Road and EWS Woods Blvd.
- Carolyn Weston Blvd. between William Moss Blvd. and Henry Long Blvd.
- Manthey Road between Carolyn Weston Blvd. and William Moss Blvd.
- William Moss Blvd. between Manthey Road and EWS Woods Blvd.
- EWS Woods Blvd. between William Moss Blvd. and French Camp Road
- McDougal Blvd. between William Moss Blvd. and French Camp Road
- McCuen Ave. between Henry Long Blvd. and Dominion Drive
- French Camp Road between McCuen Ave. and EWS Woods Blvd.
- French Camp Road between McDougal Blvd. and the end of sidewalk to the east.

Most underground conduits needed to carry the cable were installed during original residential development in Weston Ranch. However, new 2.5-inch-diameter PVC conduit would need to be installed at two locations: EWS Woods Blvd. between William Moss Blvd. and Henry Long Blvd., and Henry Long Blvd. between Carolyn Weston Blvd. and McCuen Ave. The conduit at these locations would be installed by boring under the existing road surface. The total length of boring would be 4,250 feet, and the typical depth of boring would be three (3) feet; however, boring would be done at a shallower depth as needed to avoid conflicts with underground utilities or tree roots.

In addition, approximately 10 feet of trenching would be required at each of the 15 traffic signal locations (for a total of 150 feet of trenching) to install short conduit connections between the traffic signal cabinets and the adjacent fiber optic pull boxes. The trenches would disturb small portions of existing sidewalks and landscaped areas, but all areas would be restored upon project completion.

Downtown Stockton Location

This portion of the project would install 1,100 feet of fiber optic cable to connect the SJRTD Office to the City’s existing traffic signal communication network. All underground infrastructure at this location is already in place; fiber optic cable would be installed in existing conduit under Weber Ave between California Street and Sutter Street.

No-build Alternative

The no-build alternative would not meet the purpose and need of improving communication between existing traffic signals and the City’s Traffic Management Center to increase the efficiency of the bus rapid transit system.
Environmental Setting

The proposed project is located in the Weston Ranch neighborhood and the downtown area of the City of Stockton in central San Joaquin County. Land uses in the project area are either residential or commercial; there is no natural habitat in the project vicinity.

Environmental Issues

The nature of the project and its setting suggest no potential for impacts to socioeconomic resources. This is not a Type 1 project as defined in 23 CFR 772.5(h); it would not increase the number of through lanes or change the horizontal or vertical alignment of the affected roads, or require noise abatement measures. The project is not within the Coastal Zone or within the 100-year base flood plain elevation of a watercourse or a lake; it would not involve any work in a river. The project is not within or adjacent to a Wild and Scenic River System. The project would not affect land classified as Prime Farmland, and would not affect any parcels under Williamson Act contract.

The project is consistent with the plans and goals adopted by the community. The project would not involve changes in access control; however, traffic control measures might be required during project construction. The project would not require future construction to fully utilize the design capabilities included in the proposed project. There are no visual resources within the project area. There are no publicly-owned parks, recreations areas, or wildlife or waterfowl refuges within project limits. The project would not cause public controversy based on potential effects to the environment.

Biology

Biological resource assessment consisted of a review of the Preliminary Environmental Studies (PES) Form prepared by the City of Stockton and review of the California Department of Fish and Game’s Natural Diversity Database (CNDDDB) and the U.S. Fish and Wildlife Service’s threatened and endangered species website using the Stockton West U.S. Geological Service 7.5-minute quadrangle. GIS databases, topographic maps, aerial photos, and project area photographs were also reviewed.

There is no natural habitat in the project area. Construction activities would be limited to existing pavement and previously-maintained landscaped areas. Numerous ornamental trees are located adjacent to work areas, but no trees would be removed or trimmed as part of the scope of work. No state or federally listed species, designated critical habitat, state or federally recognized sensitive habitats, or waters of the U.S. would be affected by the proposed project. There are no natural or agricultural wetlands in the project area. Section 7 consultation with the U.S. Fish and Wildlife Service is not required.

Cultural Resources

There are no properties on or eligible for the National Register of Historic Places within the project area. The proposed undertaking was determined to have no potential to affect historic properties and is exempt from further review pursuant to Stipulation VII and Attachment 2, Screened Undertakings, (Class Nos. 1, 6, 20, and 25) of the Programmatic Agreement among the Federal Highway Administration, the Advisory Council on Historic Preservation, the California State Historic Preservation Officer and the California Department of Transportation Regarding Compliance with Section 106 of the National Historic Preservation Act as it Pertains to the Administration of the Federal-Aid Highway Program in California (PA).

Hazardous Waste

No potential or existing hazardous waste concerns were identified through searches of regulatory records and databases. Caltrans has evaluated the concentrations of lead in the soils along Interstate 5; these analyses results indicate that no aerially deposited lead should be present in the nearby Weston Ranch area, and that lead concentrations are below hazardous waste thresholds. The project area is considered to be free of known hazardous waste issues.

This project would involve limited soil excavation for trenching. Lead occurs naturally in all soils in varying concentrations and is enhanced in many project soils due to vehicle emissions from the pre-1996 use of leaded gasoline. Therefore, the California Occupational Safety and Health Administration (Cal OSHA) requires a lead compliance plan on all jobs where there is soil disturbance. A lead compliance plan would be implemented during project construction.
CATEGORICAL EXEMPTION/CATEGORICAL EXCLUSION DETERMINATION FORM
Continuation Sheet

10-SJ-City of Stockton  P.M./P.M.  E.A. (State project)  Federal-Aid Project No. (Local project)/Proj. No.

Air Quality

Pursuant to Table 2 (Exempt Projects) of the Code of Federal Regulations, Title 40, Section 93.126 (40 CFR 93.126), the proposed project is exempt from project-level air quality analysis as a "construction or renovation of power, signal, and communication systems" project. Air quality conformity requirements have been met. The project is exempt from the requirement to determine conformity with a regional transportation plan.

Ken J. Romero, Caltrans Central Region Environmental Engineering, concurred with the findings in the Caltrans-prepared "CE Checklist: Air Quality Conformity Questions" on May 24, 2010, and the checklist was approved by Jacqueline Wait, Caltrans District 10 Senior Environmental Planner, on May 26, 2010.

Noise

The proposed project is not defined as a "Type I" project and would not result in a permanent increase in noise levels in/near the project area; however, there would be a temporary increase in noise levels during project construction. Since the project area is adjacent to residential properties, a Construction Related Noise Analysis Technical Memorandum was prepared on July 22, 2010 to address and outline appropriate avoidance and minimization measures to reduce construction-related noise impacts.

No adverse noise impacts from construction are anticipated because construction would be conducted in accordance with Caltrans Standard Specifications Section 7-1.011 and applicable local noise standards. Construction techniques would be designed to minimize noise levels and the duration of noise-generating activities, and construction would be restricted to the time period between 9:00 a.m. and 5:00 p.m.

Water Quality/Stormwater

No waterways would be affected by the proposed project, and no formal water quality analysis was required. Potential impacts to water quality in the project area can be addressed during project design and construction. The proposed project would not adversely affect quality of storm water discharge from the highway provided that Best Management Practices (BMPs) are implemented.

Agency Coordination and Permits Required

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<tr>
<th>Permit or Agreement</th>
<th>Required for project?</th>
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<tbody>
<tr>
<td>1602 Streambed Alteration Agreement (California Department of Fish and Game)</td>
<td>Yes</td>
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<tr>
<td>Section 404 Permit (U.S. Army Corps of Engineers)</td>
<td>✓</td>
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<tr>
<td>Section 401 Certification (Regional Water Quality Control Board)</td>
<td>✓</td>
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<tr>
<td>Local Agency National Pollutant Discharge Elimination System (NPDES) permit (RWQCB)</td>
<td>TBD by Local Agency</td>
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Environmental Provisions

➢ Environmental reevaluation will be required if the scope of the project changes to include additional areas or activities, or if previously unknown cultural or other sensitive resources are discovered.

Hazardous Waste

➢ A lead compliance plan for worker health and safety must be prepared by a Certified Industrial Hygienist and must be implemented prior to the start of construction activities. This plan is needed in order to comply with California Occupational Safety and Health Administration (Cal OSHA) regulations addressing aerially-deposited lead for projects involving soil disturbance;

Noise

➢ Construction must be conducted in accordance with Caltrans Standard Specifications Section 7-1.011 and applicable local noise standards. Appropriate abatement techniques, equipment noise control measures,
and administrative measures will be implemented to eliminate or minimize noise impacts, as outlined in the July 22, 2010 Construction Related Noise Analysis Technical Memorandum.

Air Quality

- Dust control measures must be implemented during project construction, as needed. These measures include visual dust monitoring, limiting vehicle speeds to less than 15 miles per hour, and wetting the soil by use of a water truck.

Caltrans Environmental Staff

Kathy Ikeda                 Environmental coordinator
Kursten Sheridan            Biologist
Shahar Jones                Archaeologist
Clemens Goswirt             Hazardous waste specialist
Ken J. Romero               Air quality reviewer
Allam Alhabaly              Noise specialist