

# Omnitrans Electric Charging Infrastructure for sbX Green Line Project

East Valley Maintenance Facility Component

## Statutory Exemption Memorandum

Prepared for



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# Omnitrans Electric Charging Infrastructure for sbX Green Line Project: East Valley Maintenance Facility Component

## 1. Introduction and Background

The California Legislature has granted various exemptions from the requirements of the California Environmental Quality Act (CEQA) for which a project may qualify. Of such exemptions, Article 18 of the CEQA Guidelines establishes what are known as Statutory Exemptions. Pursuant to CEQA Guidelines Section 15275, the following types of mass transit projects may qualify for a Statutory Exemption:

- (a) The institution or increase of passenger or commuter service on rail lines or high-occupancy vehicle lanes already in use, including the modernization of existing stations and parking facilities;
- (b) Facility extensions not to exceed four miles in length which are required for transfer of passengers from or to exclusive public mass transit guideway or busway public transit services.

The Omnitrans Electric Charging Infrastructure for sbX Green Line Project consists of two sites, which are both located in the city of San Bernardino, California: Omnitrans' Palm and Kendall Transit Station, located east of Palm Avenue and immediately adjacent and to the south of Kendall Drive, and Omnitrans' East Valley Maintenance Facility (EVMF) at 1700 West 5th Street. CEQA Guidelines Section 15051(a) establishes that if a project will be carried out by a public agency, that agency shall be the lead agency, even if the project is located within the jurisdiction of another public agency. While the Palm and Kendall Transit Station is leased by Omnitrans, the station is owned by the California Department of Transportation (Caltrans). Therefore, for the purposes of environmental review under CEQA, Caltrans is the lead agency for the project components that would be implemented at the Palm and Kendall Transit Station, and Omnitrans is the lead agency for the components that would be implemented at the EVMF.

This Statutory Exemption Memorandum evaluates the extent to which only the project components that would be implemented at the EVMF (EVMF Component) would qualify for a Statutory Exemption, pursuant to CEQA Guidelines Section 15275. A separate Statutory Exemption Memorandum has been prepared to evaluate the project's Palm and Kendall Transit Station components.

It should be noted that Omnitrans previously submitted an Environmental Assessment/Initial Study (EA/IS) in 2009 as part of the environmental review process for the sbX E Street Corridor Bus Rapid Transit Project (BRT Project), which included, among other things, evaluation of potential impacts associated with development at the Palm and Kendall Transit Station. The 2009 EA/IS evaluated potential environmental impacts in accordance with the requirements set forth by the National Environmental Policy Act (NEPA) and CEQA, respectively. The Federal Transit Administration (FTA) determined a Finding of No Significant Impact for the BRT Project in 2009. The FTA then subsequently determined a 2010 Re-Evaluation/Addendum, which included assessment of potential impacts associated with the EVMF, was consistent with the FTA's previous finding of a Finding of No Significant Impact for the 2009 EA/IS. For the purposes of CEQA, the 2010 Re-Evaluation/Addendum concluded that no new significant impacts or substantially more significant impacts beyond those identified in the 2009 EA/IS would occur. Because the currently proposed project, including the EVMF Component, would be implemented within the footprints previously analyzed by the 2009 EA/IS and 2010 Re-Evaluation/Addendum, Omnitrans has committed to implementing the applicable mitigation measures from the 2009 EA/IS during construction of the currently proposed project. Such measures have been adopted as Standard Construction Measures and are detailed in Section 2.3.

## 2. Project Description

The project location, existing setting, and project components of the EVMF Component are discussed in further detail below.

### 2.1 Project Location and Existing Setting

The EVMF is bounded by West 5th Street to the south, North Gardena Street to the west, West 6th Street to the north, and Medical Center Drive to the east (see Figure 1). Gated access to the facility is provided from Medical Center Drive, with separate dedicated entrances with one for staff and visitors and another for buses. The southern portion of the property is primarily comprised of surface parking areas for staff and visitors and also includes an office building. The central and northern portions of the property include the facility's bus yard and maintenance and operations facilities for servicing buses (e.g. a maintenance and operations building, bus wash facility, and a vacuum service and fueling facility). Existing electric vehicle (EV) chargers are located along the eastern perimeter of the property. The property is provided security via iron fencing and concrete masonry unit walls along the facility's perimeter. With respect to previous disturbance, soils in the within the EVMF were disturbed at depths primarily ranging from 2 to 3 feet below ground surface (bgs), though a few areas may have been disturbed at a depth of 4 feet bgs.



Figure 1: East Valley Maintenance Facility Site Boundaries

Surrounding existing uses include single-family residences to the north, across West 6th Street; the EVMF's surplus surface parking area and a tire retailer to the east, across Medical Center Drive; the Ruben Campos Community Center to the south, across West 5th Street; and single-family residences and a commercial grease management company to the west, across North Gardena Street.

## 2.2 Project Components

The EVMF Component would include new charging infrastructure to allow for overnight charging of Omnitrans' sbX electric bus fleet, as well as non-revenue vehicles, at the EVMF. As shown in Figure 2, the project would include installation of a new gantry structure within the southern portion of the EVMF's bus yard to allow for overhead pantograph charging for up to 16 battery electric 60-foot articulated buses across four bus lanes. The gantry structure, which would be installed entirely within currently paved areas associated with the bus yard, would span 240 feet in length, and include 18 columns on cast-in-drilled-hole footings. Fourteen of the columns would require excavation to depths of 10 feet bgs. The remaining four columns, which would support an overhead platform (discussed further below), would require excavation to depths of 5 feet bgs. Buses would enter beneath the structure from the bus yard's western area and proceed in a west-east direction underneath the structure before exiting the structure towards the east. Three lines of striping would be added beneath the gantry to delineate the four bus lanes. Three lines of striping would be added beneath the gantry to delineate the four bus lanes.

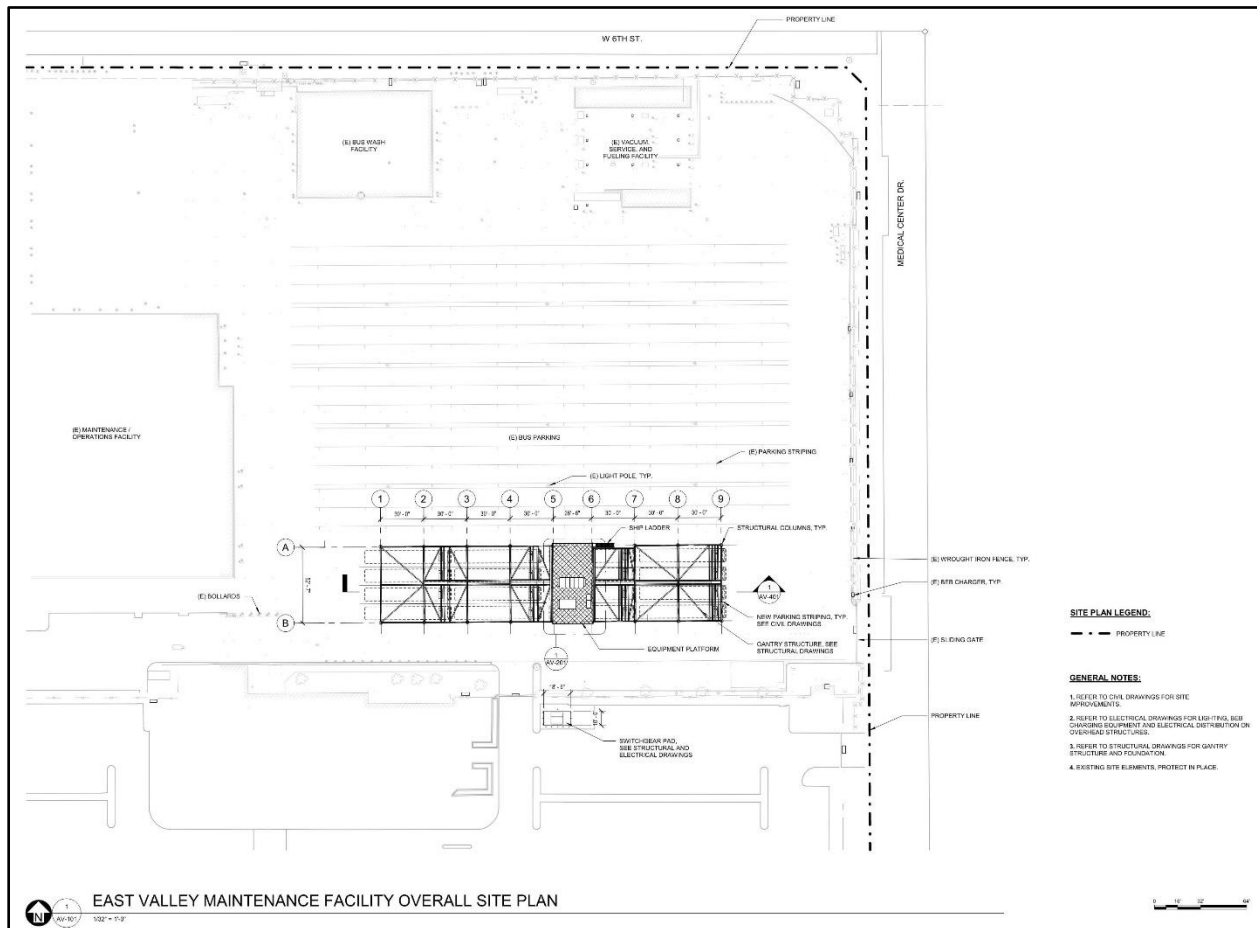


Figure 2: East Valley Maintenance Facility Site Plan

The overhead platform would be installed atop the central portion of the gantry. The platform would house two charger equipment cabinets (a rectifier cabinet and rectifier transformer), a distribution panel, and light poles (see Figure 3). A guard rail would be included along the perimeter of the platform for safety purposes. Access to the platform would be provided by a ship ladder. The gantry is also designed to support future photovoltaic (PV) panels and additional substructures. Future coordination with Omnitrans would be required to implement a potential PV system.

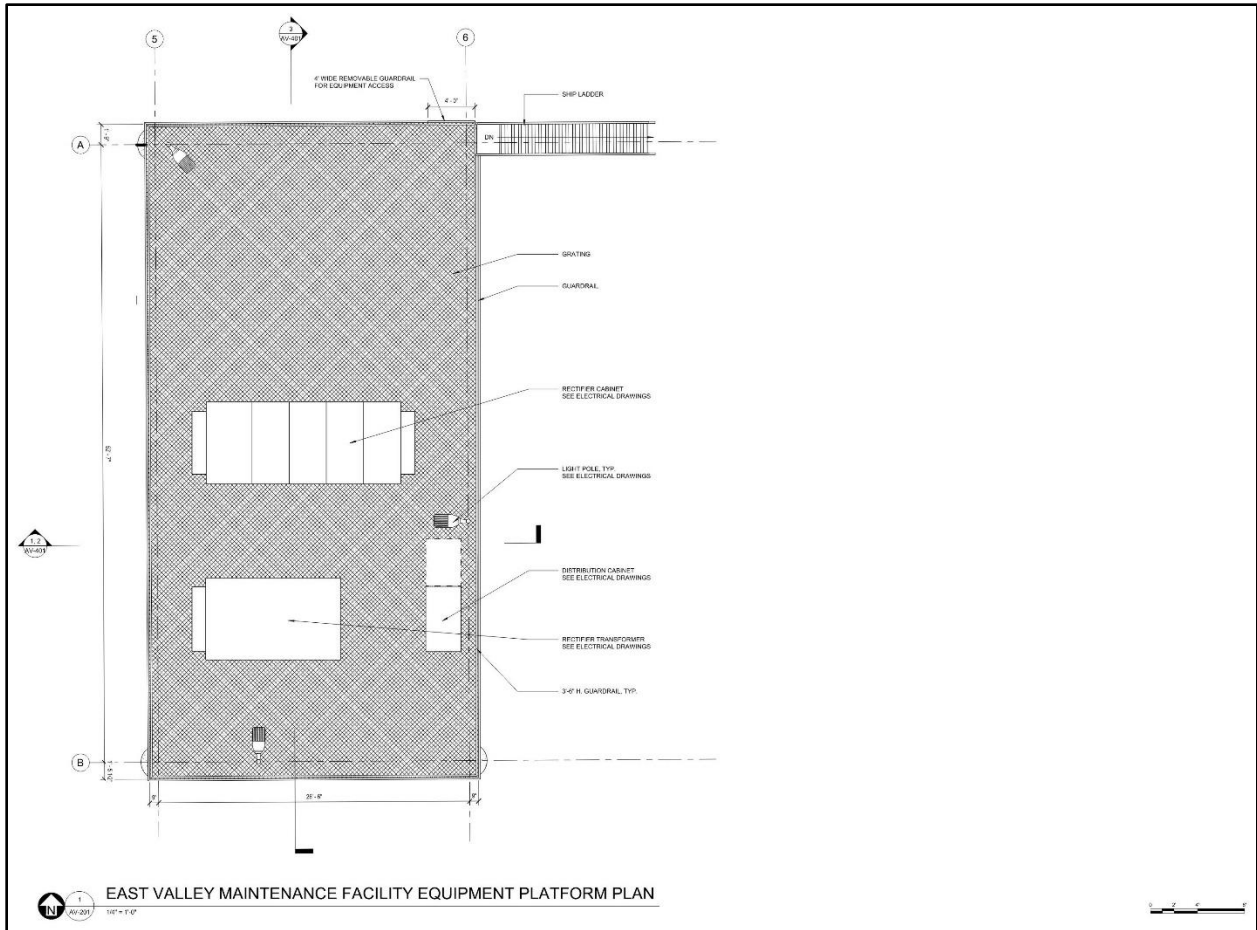


Figure 3: East Valley Maintenance Facility Equipment Platform Plan

As part of installation of the gantry structure, three existing light poles would be removed; however, all existing electrical pull boxes would be protected in place. Existing concrete would be removed, as needed, and replaced in kind to support installation of the gantry structure. Trenching at depths of 2 to 4 feet bgs would be necessary for electrical duct banks and manholes. The new pavement would generally match the grade of immediately surrounding areas. New switchgear would be installed at the motorcycle parking location within the existing employee parking area; a new duct bank would also be installed in the existing employee parking area to establish connection to the Southern California Edison (SCE) distribution line along West Fifth Street.

Additionally, the EVMF Component would include installation of 14 Level 2 EV chargers within the central and western portions of the EVMF to allow for charging of non-revenue vehicles (see Figure 4). The chargers would all be installed in currently paved areas of the EVMF. Power supply to the new chargers would be provided through a new connection to the proposed service for bus charging. In total, the proposed 14 Level 2 chargers would allow for charging within 26 parking stalls. New transformer equipment would be installed on a concrete pad adjacent to the proposed Level 2 EV chargers.



Figure 4: East Valley Maintenance Facility Level 2 Electric Vehicle Charger Preliminary Locations

### 2.3 Standard Construction Measures

The following proposed Standard Construction Measures would be implemented as part of the proposed project, including development of the EVMF Component.

#### *BIO-1: Migratory Bird Treaty Act*

Avoid disturbance of any nests protected by the Migratory Bird Treaty Act (MBTA) at the Palm and Kendall station site and East Valley Maintenance Facility. Alternatively, construction activities can be scheduled to occur during the non-breeding season (September 1 through January 31).

If construction activities are scheduled to occur during the breeding season (February 1 through August 31), then Omnitrans will implement the following measures to avoid potential adverse effects on birds covered by the MBTA:

- No more than one week prior to construction, a qualified wildlife biologist will conduct preconstruction surveys of all potential nesting habitat within 500 feet of construction activities where access is available.
- If active nests are found during preconstruction surveys, then the project proponent will create a no-disturbance buffer (acceptable in size to the California Department of Fish and Wildlife [CDFW]) around active raptor nests and nests of other protected birds during the breeding season, or until it is determined that all young have fledged. Typical buffers include 500 feet for raptors and 250 feet for other nesting birds. The size of these buffer zones and types of construction activities restricted in these areas may be further modified during coordination and in

consultation with CDFW, and it will be based on existing noise and human disturbance levels at the project sites. Nests initiated during construction are presumed to be unaffected, and no buffer shall be necessary; however, the “take” (e.g., mortality, severe disturbance to) of any individual birds will be prohibited.

- If preconstruction surveys indicate that nests are inactive or potential habitat is unoccupied during the construction period, then no further mitigation is required. If inactive or partially built nests are found during surveys, they will be removed, if possible, before eggs or nestlings can be established.

#### *BIO-2: Monarch Butterfly*

If monarch butterfly is listed as endangered or threatened under the federal Endangered Species Act and project-related vegetation removal occurs during the time when milkweed plants may host monarch eggs or caterpillars (March 15 through September 30, or otherwise identified in any future U.S. Fish and Wildlife Survey [USFWS] survey protocol), a preconstruction survey shall be conducted by a qualified biologist to survey for monarch eggs, larvae, and chrysalises, at most, 14 days prior to the commencement of construction. All milkweed plants within the study area shall be surveyed, as well as surrounding vegetation which may support chrysalises. A report summarizing the results of the preconstruction survey shall be submitted for review and approval to the Omnitrans Strategic Development Department.

If any monarch eggs, larvae, or chrysalises are found within the study area, they shall be avoided and work shall not occur within 50 feet of the monarchs until adults emerge and voluntarily leave the project site. If the eggs, larvae, or chrysalises are located in the work area and cannot be avoided, as determined by a qualified biologist in coordination with the project engineer and the Omnitrans Strategic Development Department, eggs shall be allowed to hatch, and all larvae and chrysalises shall be translocated to an alternative location (e.g., containing a suitable population of larval host plants) outside of the work area. Should the species be listed under the federal Endangered Species Act in the future, additional coordination with USFWS shall be completed, as necessary, prior to translocation.

#### *CUL-1: Worker Cultural Awareness Training*

Prior to initiation of ground-disturbing activities, qualified archaeologists shall conduct a short awareness training session for all construction workers and supervisory personnel. The course will explain the importance of and legal basis for the protection of significant archaeological resources. Each worker will also learn the proper procedures to follow in the event cultural resources or human remains/burials are uncovered during ground-disturbing activities. These procedures include work curtailment or redirection and the immediate contact of their supervisor and the archaeological monitor.

#### *CUL-2: Inadvertent Discoveries*

In the event that cultural resources are exposed during ground-disturbing activities throughout the project, an archaeological monitor shall be empowered to temporarily halt construction activities in the immediate vicinity of the discovery while the resources are evaluated for significance. Construction activities may continue in other areas. If the discovery proves to be significant, additional work, such as data recovery excavation, shall be undertaken in consultation with Omnitrans.

In the event that cultural resources are exposed during ground-disturbances, the project archaeologist shall determine if the Serrano Nation of Indians should be contacted regarding the find.

#### *CUL-3: Human Remains*

If human remains are discovered during project construction, compliance with State of California Health and Safety Code Section 7050.5 shall be required. The County Coroner shall be contacted to make a determination of origin and disposition pursuant to Public Resources Code Section 5097.98. The County Coroner shall be notified of the find immediately. If the human remains are determined to be precontact, the Coroner shall notify the Native American Heritage Commission, which will determine and notify a Most

Likely Descendant (MLD). The MLD shall complete the inspection of the site within 48 hours of notification and may recommend scientific removal and nondestructive analysis of human remains and items associated with Native American burials.

### 3. Reason for Statutory Exemption under CEQA

As discussed above, the project's EVMF Component would include only new charging infrastructure, modifications to existing paved areas within the EVMF, and associated new connections to existing distribution lines immediately adjacent to the EVMF boundaries. The EVMF Component would allow for overnight charging of Omnitrans' sbX electric bus fleet and non-revenue vehicles and serves to only enhance the existing uses of the EVMF. Thus, the EVMF Component meets the CEQA Guidelines Section 15275(a) criterion of mass transit projects that include modernization of existing stations and parking facilities.

The EVMF Component is, therefore, statutorily exempt from CEQA.