

**CATEGORICAL EXEMPTION/CATEGORICAL EXCLUSION DETERMINATION FORM**

**08-SBd-15**                      **16.07/169.4**                      **1K190/0818000207**  
 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.)

The scope of work is to epoxy fill cracks; replace joint seals; patch deck spalls; methacrylate and/or resurface bridge decks, approach and departure slabs. No work will take place under the bridges with the exception of two bridges (Afton Rd, PM 111.59 and Razor Rd. PM 124.24), which will have slope paving in front of the abutments. All work will be within the 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].)]

**Gabrielle Duff**

Print Name: Senior Environmental Planner or Environmental Branch Chief

*Gabrielle Duff*

Signature

8/8/19

Date

**Michael Ristic**

Print Name: Project Manager

*Michael Ristic*

Signature

8/8/19

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).

**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 \_\_\_ 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.

Print Name: Senior Environmental Planner or Environmental Branch Chief

Print Name: Project Manager/DLA Engineer

Signature

Date

Signature

Date

Date of Categorical Exclusion Checklist completion:

Date of ECR or equivalent :

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**

Continued from page 1:

Purpose: The purpose of this project is to improve bridge reliability and operational safety of traveling public and extend bridge service life.

Need: The deteriorating bridges are in need of maintenance repair in order to prevent further deterioration and preserve bridge integrity.

Program: This is a Maintenance (HM) project under program code 20.80.110, and PMCS code HM1.

Natural Environment Study – July 31, 2019

Screened Undertaking Section 106 Compliance Memorandum – May 28, 2019

Initial Site Assessment (ISA) Checklist – July 16, 2019

Air Quality Memorandum – July 3, 2019

Noise Study Memorandum – July 16, 2019

**Biological Studies:** Natural Environment Study

In coordination with District Biological Studies & Permits Branch, a Natural Environmental Study (Minimal Impacts) (NES[MI]) was prepared and approved on July 31, 2019. The NES(MI) determined that the proposed project will have "No Effect" to any Federally-listed species or their habitat, pursuant to Section 7(a)(2) of the Federal Endangered Species Act and would result in "No Take" to any State-listed species or their habitat, pursuant to the California Endangered Species Act. Caltrans anticipates no regulatory permits.

- **BIO-1: Rare Plant Pre-Construction Clearance Survey:** Prior to ground breaking activities, a qualified biologist must perform a pre-construction plant survey during the appropriate blooming season. Should any small-flowered androstegium be found, they will be flagged or fenced.
- **BIO-2: Equipment Staging:** Equipment, vehicles, and materials staged and stored in Caltrans right-of-way will be sited in previously paved or previously disturbed areas only and will avoid native vegetation. Approval of additional staging areas will require the Caltrans Biologist to analyze project impacts and provide authorization for additional staging areas.
- **BIO-3: Workers Environmental Awareness Program (WEAP):** A Workers Environmental Awareness Program (WEAP) will be developed and presented by a Caltrans Stewardship Biologist to all on-site personnel who will be in the project limits for longer than 30 minutes prior to the onset of ground-disturbing activities. At a minimum, the program will include the following topics: distribution, general behavior, and ecology of the desert tortoise, notification procedures by workers or contractors if a tortoise is found in a construction area, sensitivity of the species to human activities, legal protection afforded to rare plants, migratory birds, bats, and other species, penalties for violations of Federal and State laws, and project features designed to reduce the impacts to these species and promote continued successful occupation of the Project area. The program will consist of a tailgate meeting by a Caltrans Stewardship Biologist prior to the start of work. Handout materials will be distributed for workers with important information about the regulated species for future reference and as a reminder of the program's content. Following the education program, the handouts will be posted at all construction field offices and on all information boards, where they will remain throughout the duration of the Project. If at any time a desert tortoise is observed in the Project area, the Resident Engineer will cease operations immediately and will contact the Caltrans Environmental Stewardship & Monitoring Unit.
- **BIO-4: Pre-Construction Desert Tortoise Survey:** A pre-construction survey will be carried out for desert tortoise and their burrows by the Caltrans Stewardship biologist prior to the start of any ground disturbing activities and prior to the installation of any desert tortoise exclusion fencing.
- **BIO-5: Desert Tortoise Confirmed Presence:** If a desert tortoise is found, then it shall be allowed to leave on its own accord. If a tortoise is found underneath a vehicle, then the worker will notify the Caltrans Authorized biologist. Workers will not be allowed to capture, handle, or relocate tortoises. If a desert tortoise requires relocation, then Caltrans will contact the wildlife agencies.
- **BIO-6: Desert Tortoise Exclusion Fencing:** The Caltrans Stewardship Biologist will monitor the installation of desert tortoise exclusion fencing outside of the perimeter of any construction staging, storage or batch plant areas to prevent entry by desert tortoises into the work site. Exclusion fencing will be installed following Service guidelines (2005) or more current protocol. The Caltrans Biologist will ensure that desert tortoises cannot pass under, over, or around the fence. The Caltrans Biologist must regularly check the fenced area and notify the Engineer, should it become damaged and require repair.
- **BIO-7: Desert Tortoise As-Needed Surveys:** The Caltrans Stewardship Biologist shall conduct pre-construction surveys for desert tortoise during Project construction on an as-needed basis, which are determined by the Biologist.
- **BIO-8: Desert Tortoise Under Vehicles and/or Equipment:** The Caltrans Stewardship biologist and Project personnel shall carefully check under parked vehicles and equipment for desert tortoises before any of the vehicles or equipment can be moved.



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**Continuation Sheet**

- **BIO-9: Desert Tortoise in Work Area:** If at any time a desert tortoise is observed in the project area, the Caltrans Stewardship Biologist will have the authority to halt any activities, through the Resident Engineer or any other identified authority in charge of implementation, that may pose a threat to desert tortoises and to direct movements of equipment and personnel to avoid injury to mortality to desert tortoises. Desert tortoises will be removed by the authorized biologist according to guidelines set forth by USFWS in the Biological Opinion to a translocation site pre-approved by the appropriate wildlife/resource agency(s). Should a tortoise require removal from the work site, USFWS will be contacted.
- **BIO-10: Injured or Dead Desert Tortoise:** The Caltrans Stewardship Biologist will inform USFWS and CDFW of any injured or dead desert tortoises (and other special status species) found on site (verbal notification within 24 hours and written notification within 5 days).
- **BIO-11: Desert Tortoise Monitoring Reports:** The Caltrans Stewardship Biologist will conduct daily on-site monitoring and submit a weekly monitoring report for desert tortoises (and additional special status species) during construction.
- **BIO-12: Speed Limits in Desert Tortoise Habitat:** Except on maintained public roads designated for higher speeds or within desert tortoise-proof fenced areas, driving speeds will not exceed 20 miles per hour through potential desert tortoise habitat on unpaved roads.
- **BIO-13: Desert Tortoise Predation Prevention:** To preclude attracting predators, such as the common raven (*Corvus corax*) and coyotes (*Canis latrans*), food-related trash items will be placed in covered refuse cans and removed daily from the work sites and disposed of at an appropriate refuse disposal site. Workers are prohibited from feeding any and all wildlife.
- **BIO-14: Pre-Construction Clearance and Monitoring for Migratory Birds:** If project activities cannot be avoided during the nesting period from February 1 through September 30, a Caltrans biologist will perform a nesting bird pre-construction survey (i.e. swallows) within the immediate work area prior to commencement of construction. The surveys will be conducted by the Caltrans Biologist at the appropriate time(s) of day, no more than three days prior to commencement of project activities. If an active nest of a resident, migratory bird, or BLM sensitive species is found, then the Caltrans Stewardship Biologist will assess if impacts to nesting birds will occur. If impacts would occur, then a Caltrans Stewardship Biologist will contact the appropriate wildlife agencies for further direction; a 300-foot no construction buffer (500-foot buffer for raptors) may be put into place until nesting has ceased or the young have fledged.
- **BIO-15: Pre-Construction Survey and Monitoring by a Qualified Bat Biologist:** Prior to the start of construction, a contractor-supplied biologist will conduct a pre-construction survey to determine if bats are roosting on any of the bridges. If work on bridges that support bat roosting occur during the bat maternity season (April 1–August 31), then a Caltrans Stewardship Biologist will contact the appropriate wildlife agencies for further direction.
- **BIO-16: Bat Presence Work Restrictions:** If bats are confirmed to be present, then artificial lighting shall be focused only on the area of direct work, airspace access to and from the roost features of the structure shall not be obstructed, and light spillover into the adjacent foraging areas shall be minimized to the greatest extent feasible.

**Cultural Studies:** Section 106 Screened Undertaking

In coordination with District Cultural Studies, a Cultural Resources Compliance Memorandum was prepared and approved May 28, 2019. The studies for this undertaking were carried out in a manner consistent with Caltrans' regulatory responsibilities under Section 106 of the National Historic Preservation Act (36 CFR Part 800) and pursuant to the January 2014 *First Amended 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* (Section 106 PA). As a result, this project is exempt from further review and the Section 106 compliance process is complete, CEQA cultural resources component, and PRC 5024 compliance are complete. The provisions of the Section 106 PA, Attachment 2, have been applied to this project. This project falls under: Class 1, "Pavement reconstruction, resurfacing, shoulder backing, or placement of seal coat," Class 11, "Modification of existing features, such as slopes, ditches, curbs, sidewalks, driveways, dikes, or headwalls, within or adjacent to right of way", and Class 19, "Any work on Category 5, bridges, including rehabilitation or reconstruction."

**Hazardous Waste:** Initial Site Assessment (ISA) Checklist

In coordination with District Environmental Engineering, an Initial Site Assessment (ISA) Checklist was prepared and approved by District Environmental Engineering on July 16, 2019. According to the ISA checklist the project's potential for hazardous waste involvement as "Minimal Risk":

Hazardous Waste Environmental Commitments include:

HW-1: Add SSP 14-9.02 to PS&E package and comply with its asbestos NESHAP notification requirements.

HW-2: SSP 36-4: Residue containing lead from paint and thermoplastic.



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**Continuation Sheet**

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HW-3: Include SSP 84-9.03B, in the PS&E package, for removal of traffic stripes and pavement markings containing lead.

**Air Quality:**

The project is exempt from conformity determination because it falls under the exempt project (Reconstructing Bridges) listed in 40 CFR 93.126. An Air Quality Report is not required.

**Noise:**

Based on the project description, this is not a Type I project. A noise impact analysis is therefore not required. However, to minimize the construction generated noise, sound control should conform to the provision in Standard Specification "Noise Control" section 14-8.02, and SSP 14-8.02.

**Paleontology:**

In coordination with District Paleontology, it was determined on April 4, 2019 no paleontological studies are required.

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—and to otherwise confirm that the environmental documentation for CEQA compliance remains valid. Updates to the original Technical Studies, or preparation of new Technical Studies may be required and/or new 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 requirements.

If an Environmental Reevaluation is determined to be necessary, it will need to be completed before the associated scope of work, or project limits or other change(s) being considered for the project, are implemented.

An Environmental Certification will be required at the end of the PS&E phase—prior to Ready-to-List.

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 Reevaluation (including possible updates to the original Technical Studies, or preparation of new Technical Studies) is required, and/or a new 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 requirements. If an Environmental Reevaluation 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 issues 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.

Completion of a Certificate of Environmental Compliance is required prior to project close-out.

Governor's Office of Planning & Research

**AUG 26 2019**

**STATE CLEARINGHOUSE**