

**CATEGORICAL EXEMPTION/CATEGORICAL EXCLUSION DETERMINATION FORM**

**08-SBd-95**    **PM 9.7/33.6**    **1F131/0815000211**  
 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.)

Work within the Typical Footprint includes Cold in Place Recycling and Upgrading Concrete Dikes, which will occur from Existing EP to EP, and reestablishing shoulder backing within existing graded area from EP to Berm or Toe of cut slope. There are Exceptions to this typical footprint at 2 potential Contractor Staging Areas where materials and equipment may be stored. All work is within State Right-of-Way and additional right-of-way acquisition is not required.

**CEQA COMPLIANCE** (for State Projects only)

Based on an examination of this proposal and supporting information, the following statements are true and exceptions do not apply (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)

- Not Applicable – Caltrans is not the CEQA Lead Agency**     **Not Applicable – Caltrans has prepared an Initial Study or Environmental Impact Report under CEQA**
- 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:
- Categorically Exempt. Class 1.** (PRC 21084; 14 CCR 15300 et seq.)
- Categorically Exempt. General Rule 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 (CCR 15061[b][3].)]

**Gabrielle Duff**

Print Name: Senior Environmental Planner or  
 Environmental Branch Chief

 5/4/18  
 Signature    Date

<sup>For</sup> **Mahmuda Akhter**

Print Name: Project Manager

 5/4/18  
 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).

**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)(26)**  
 **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.

**Gabrielle Duff**

Print Name: Senior Environmental Planner or  
 Environmental Branch Chief

 5/4/18  
 Signature    Date

<sup>For</sup> **Mahmuda Akhter**

Print Name: Project Manager

 5/4/18  
 Signature    Date

Date of Categorical Exclusion Checklist completion: 5/04/2018    Date of ECR or equivalent : 5/04/2018

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**

The following technical documentation was prepared in conjunction with determining and addressing applicable National Environmental Policy Act (NEPA) and applicable California Environmental Quality Act (CEQA) documentation and compliance requirements.

**Biological Resources: NES(MI) - April 4, 2018**

**Biological Environmental Avoidance and Minimization Efforts:**

In order to minimize impacts and avoid effects to the special status and listed plant species, the project will implement all applicable Caltrans Best Management Practices (BMPs). For Special Status and Listed Plant Species, refer to Bio-1 and Bio-2. For Avian Species, refer to Bio-1 through Bio-3. For Desert Tortoise and Desert Tortoise Critical Habitat, refer to Bio-2 and Bio-4 through Bio-16.

- **BIO-1** Equipment Staging
- **BIO-2** Material and Spoils Control
- **BIO-3** Material and Spoils Control
- **BIO-4** Biological Monitor
- **BIO-5** Biological Resource Information Program
- **BIO-6** Pre-construction Desert Tortoise Survey
- **BIO-7** Temporary Desert Tortoise Fencing
- **BIO-8** Desert Tortoise under Vehicles and/or Equipment
- **BIO-9** Desert Tortoise in Work Area
- **BIO-10** Injured Desert Tortoise
- **BIO-11** Desert Tortoise Monitoring Reports
- **BIO-12** Speed Limit in Desert Tortoise Habitat
- **BIO-13** Predation Prevention
- **BIO-14** Firearms and Pet Restrictions
- **BIO-15** Handling Desert Tortoise
- **BIO-16** Moving Desert Tortoise

**Cultural Resources: Historic Property Survey Report – April 3, 2018**

A Historic Property Survey Report (HPSR) and a Finding of Effect (FOE) was prepared on 4/3/18 with a Finding of No Adverse Effect (without Standard Conditions).

Efforts identified two resources within the APE:

- P-36-000437/CA-SBR-437: a small prehistoric lithic scatter
- P-36-012473/CA-SBR-12263/H: a multi-component resource that includes a large prehistoric lithic procurement area and historic-era features associated with the Desert Training Center/California-Arizona Maneuver Area Historic District

Pursuant to Stipulation VIII.C.4 of the Section 106 PA, Caltrans will treat P-36-000437 as eligible for listing on the National Register of Historic Places (NRHP) under Criterion D for the purposes of this undertaking only. Caltrans will also treat P-36-012473 as eligible for listing on the NRHP under criteria A and D for the purposes of this undertaking only.

In accordance with Stipulation X.A of the Section 106 PA, Caltrans has applied the criteria of adverse effect and has determined that although ground disturbing construction activities will occur within a “sliver portion” of CA-SBR-437 and CA-SBR-12263/H, research has revealed that all work will occur within areas that have undergone prior and extensive ground disturbance. Therefore the likelihood of encountering and/or effecting data sets that contribute to the assumed eligibility of the sites as a whole is low. The portions of CA-SBR-437 and CA-SBR- 12263/H located outside ground disturbing activities will be protected in their entirety through the establishment of ESAs. Caltrans has developed an ESA Action Plan that describes the delineation of ESA fencing, the methods of ESA installation, and the duties of responsible parties during all phases of construction activities.

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Continuation Sheet**

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SHPO concurred with the Finding of No Adverse Effect (without Standard Conditions) on May 3, 2018.

**Environmental Engineering:**

**Hazardous Waste - February 27,2018**

- Low risk

**Air Quality – March 21, 2017**

- Project is exempt from all air emissions analysis.

**Noise Analysis – March 3, 2017**

- Project is a Type III project per Traffic Noise Analysis Protocol, therefore is exempt from traffic noise analysis and a noise study analysis is not needed.

**Paleontological Resources - April 9, 2018**

- No paleontological studies are required.

**Permits**

The following permits are required for this project:

- 1602 Streambed Alteration Agreement from CDFW
- 401 Water Certification permit from RWQCB
- 404 Nationwide permit from USACE
- 2081 Incidental take permit from CDFW
- Biological Opinion Concurrence received April 23, 2018

**STATE CLEARINGHOUSE**

**SEP 05 2019**

Governor's Office of Planning & Research