

CATEGORICAL EXEMPTION/CATEGORICAL EXCLUSION DETERMINATION FORM

10-MER-152	26.3/R40.65	10-1C370	1017000043
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 project proposes to upgrade existing Metal Beam Guardrail (MBGR) to the current standard Midwest Guardrail System (MGS). In addition, non-standard End Treatments and Crash Cushions will be replaced with the corresponding MGS. MGS connecting to bridge rails will require new transition anchor blocks. There are existing MBGRs spanning the culverts with less than three feet below original ground. At these locations, Type 60 Concrete Barrier will be built across the culverts, with the MGS tying into the Concrete Barrier. Caltrans field maintenance also requested concrete pads instead of rubber mats as vegetation control underneath the MGS. The concrete pads will extend to edge of pavement if there is any gap between edge of pavement and the concrete pads themselves. All construction activities will be within the State right-of-way. Additional right-of-way is not required.

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].)]

Jennifer Lugo

Print Name: Senior Environmental Planner or Environmental Branch Chief



Signature



Date

Gurwinder Sekhon

Print Name: Project Manager



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)(22)
- 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.

Jennifer Lugo

Print Name: Senior Environmental Planner or Environmental Branch Chief



Signature



Date

Gurwinder Sekhon

Print Name: Project Manager/DLA Engineer



Signature

Date

Date of Categorical Exclusion Checklist completion: 6/17/19

Date of ECR or equivalent : 6/17/19

Briefly list environmental commitments on continuation sheet. Reference additional information, as appropriate (e.g., CE checklist, additional studies and design conditions).

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Continuation Sheet

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Continued from page 1:

SSPs and Measures

Biology

Project area provides nesting habitat to Swainson's hawk and other birds protected by Migratory Bird Treaty Act. If construction is scheduled to occur during the nesting season for raptors and migratory birds (Feb 1- Sept 30), pre-construction bird surveys will be required no more than 14 days before construction activities begin.

If migratory birds or raptors are found nesting within or to a work area during construction activities, the following Environmentally Sensitive Area (ESA) buffers will be required:

- If any migratory bird nest is observed, a 100-foot ESA buffer must be implemented and avoided until the young have fledged or a qualified biologist determines that construction may proceed.
- If an active tricolored blackbird nest is observed, a 250-foot ESA buffer must be implemented and avoided around the nest until the young have fledged or a qualified biologist determines that construction may proceed.
- If an active burrowing owl burrow is observed, a 165-foot ESA buffer (for Sept. 1- Jan. 31 due to non-breeding season) and 250-foot (for Feb. 1 - Aug. 31 due to breeding season) must be implemented and avoided around the nest until the young have fledged or a qualified biologist determines that construction may proceed.
- If an active raptor nest is observed, a 300-foot ESA buffer must be implemented and avoided around the nest until the young have fledged or a qualified biologist determines that construction may proceed.
- If an active Swainson's hawk nest is observed, a 600-foot ESA buffer must be implemented and avoided around the nest until the young have fledged or a qualified biologist determines that construction may proceed.

Standard Special Provision (SSP) 14-6.03. Bird Protection

Standard Special Provision (SSP) 14-6.06. Species Protection Area

Hazardous Waste

SSP 7-1.02K(6)(j)(iii) includes specifications for handling, removing, and disposing of earth material containing lead. A lead compliance plan is required and all soil must remain on site.

SSP 14-11.14 Wood removed from guardrail and roadside signs is treated wood waste.

Air Quality

Caltrans Standard Specification pertaining to dust control and dust palliative requirements are a required part of all construction contracts and should effectively reduce and control emission impacts during construction. The provisions of Caltrans Standard Specifications, Section 14-9.02 "Air Pollution Control" and Section 10-5 "Dust Control," require the contractor to comply with the air pollution control rules, ordinances, and regulations and statutes that apply to work performed under the contract, including those provided in Government code § 11017.

SSP 14-9.02 "Air Pollution Control"

SSP 10-5 "Dust Control"

Noise

Standard Specification 14-8.02 "Noise Control: All equipment will have sound control devices that are no less effective than those provided on the original equipment. No equipment will have an unmuffled exhaust."

Water Quality

Standard Specification 13-1 "In order to eliminate or minimize any potential impacts in the environment, appropriate Best Management Practices [BMPs] should be selected and implemented in accordance with the Project Planning and Design Guide. The contractor, as required in Caltrans Standard Specification Section 13-1, must abide by the BMPs at a minimum, and address all potential water quality impacts that may occur during construction."