

**CATEGORICAL EXEMPTION/CATEGORICAL EXCLUSION DETERMINATION FORM**

<b>11-SD-78</b>	<b>20.5</b>	<b>937700/0000001157</b>	
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.)

**Encroachment Permit #11-20-NOP-0022:** On State Route 78, in the City of Escondido, County of San Diego at the intersection of SR-78/Bear Valley Parkway, SDG&E proposes to install a 16-inch and a 4-inch replacement pipeline as part of the CPUC mandated Pipeline Safety Enhancement Plan. Project activities include an open cut approximately 11.5-feet deep; 3-feet wide; and 1.400 feet long in asphalt, concrete and soil. If there are any changes to project activities, Caltrans Environmental (619-688-0229) shall be contacted for further review. No new right of way 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 5.** (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].)]

**BRUCE APRIL**

Print Name: Senior Environmental Planner or Environmental Branch Chief

*p.p. Bruce April*      1/10/2020  
 Signature      Date

**BROOKE EMERY**

Print Name: Project Manager

*Brooke Emery*      1-10-2020  
 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)( )
- 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

Signature      Date

Print Name: Project Manager/DLA Engineer

Signature      Date

Date of Categorical Exclusion Checklist completion: N/A

Date of ECR or equivalent : N/A

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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**BIOLOGY:**

If vegetation removal is to take place during the bird breeding season (February 15 through August 31), a pre-construction survey must be completed by a qualified biologist. Nesting activity would take place during this time frame, requiring appropriate measures to be implemented to prevent impacts to nesting birds.

**STORMWATER/NPDES:**

Follow the approved SWPPP prepared for this project.

**HAZARDOUS WASTE/MATERIALS:**

A hazardous waste concern for this project is aerially deposited lead (ADL). Elevated levels of ADL are common in the soil adjacent to State highways and can also be found underneath some existing road surfaces due to past construction activities. Per the guidance described in Section 407 of Caltrans Encroachment Permit Manual, this project is categorized as "Excess Soil", which are projects that result in excess soil that cannot be reused within the work limits and need to be transported and disposed of, outside of Caltrans' right-of-way, in accordance with all applicable environmental laws and regulations.

The Permittee is responsible for proper identification (including sampling and analysis) and management of the excess soil that are removed and/or excavated from the work site.

It is the Permittee's responsibility to comply with the Department of Toxic Substances Control (DTSC) ADL requirements for roadway soil management. "Hazardous Materials and Hazardous Waste Management Special Provisions" (TR-0408 must be included in the permit (see Appendix K of Caltrans Encroachment Permit Manual).

A Lead Compliance Plan, prepared by a Certified Industrial Hygienist (CIH), shall be prepared and implemented for all workers handling the soil.

**VISUAL:**

Exercise care during demolition and construction of the improvements to avoid damage to existing vegetation, and other highway amenities located in or adjacent to the project area. If unanticipated resource impacts occur, notify the Visual Analysis Unit (619-688-0226) to provide further review of the proposed project and provide guidance for any resulting modifications.