



**CEQA EXEMPTION / NEPA CATEGORICAL EXCLUSION
DETERMINATION FORM (rev. 05/2020)**

Project Information

DIST-CO-RTE: 10-MER-152

PM/PM: 21.5

EA: Federal-Aid Project Number:

Project Description

Caltrans maintenance forces will remove approximately 7 large trees within the Caltrans maintenance facility in Los Banos, CA (no oak species). The project is expected to take 2-3 days. All work will be completed within Caltrans Right-of-Way. The purpose of the project is to detour a large colony of migrating egrets from roosting within the maintenance facility area. Previous avoidance measures such as tree trimming have been unsuccessful. The project is needed to address complaints from the City of Los Banos regarding bird waste and dead juvenile birds naturally occurring throughout the nesting season and to address safety concerns for the maintenance workers on-site.

Caltrans CEQA Determination (Check one)

- Not Applicable** – Caltrans is not the CEQA Lead Agency
- Not Applicable** – Caltrans has prepared an IS or EIR under CEQA

Based on an examination of this proposal and supporting information, 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.)
 - No exceptions apply that would bar the use of a categorical exemption (PRC 21084 and 14 CCR 15300.2). See the [SER Chapter 34](#) for exceptions.
- Covered by the 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].)

Senior Environmental Planner or Environmental Branch Chief

Dominic Vitali

Dominic Vitali

11/10/2020

Print Name

Signature

Date

Project Manager

Michael Maturino

11/10/2020

Print Name

Signature

Date



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Caltrans NEPA Determination (Check one)

Caltrans 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). See SER Chapter 30 for unusual circumstances. As such, the project is categorically excluded from the requirements to prepare an EA or EIS under NEPA and is included under the following:

- 23 USC 326: Caltrans has been assigned, and hereby certifies that it has carried out the responsibility to make this determination pursuant to 23 USC 326 and the Memorandum of Understanding dated April 18, 2019, executed between FHWA and Caltrans. Caltrans has determined that the project is a Categorical Exclusion under:
- 23 CFR 771.117(c): activity (c)(Enter activity number)
- 23 CFR 771.117(d): activity (d)(Enter activity number)
- Activity Enter activity number listed in Appendix A of the MOU between FHWA and Caltrans
23 USC 327: Based on an examination of this proposal and supporting information, Caltrans 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.

Senior Environmental Planner or Environmental Branch Chief

Print Name Signature Date

Project Manager/ DLA Engineer

Print Name Signature Date

Date of Categorical Exclusion Checklist completion: N/A
Date of Environmental Commitment Record or equivalent: N/A

Briefly list environmental commitments on continuation sheet if needed (i.e., not necessary if included on an attached ECR). Reference additional information, as appropriate (e.g., additional studies and design conditions).



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Continuation sheet:

Coordination with USFWS regarding methods to detour the egret colony was done and it was decided that tree removal was the best and least invasive option. Caltrans tree crews trimmed the trees last winter 2019 in order to detour the egrets from returning but were unsuccessful. It has been confirmed that all birds have left for the winter so the tree removals will occur within the next month, prior to the birds returning.