



**CEQA EXEMPTION / NEPA CATEGORICAL EXCLUSION
DETERMINATION FORM (rev. 11/2020)**

<u>Project Information</u>	
Project Name (if applicable): Tuolumne River Trash Control	
DIST-CO-RTE: 10-STA-99	PM/PM: 14.9
EA: 10-1H600	Federal-Aid Project Number: 1017000187
<u>Project Description</u>	
<p>The California Department of Transportation (Caltrans) proposes to install, operate, and maintain a trash full capture device along State Route (SR) 99 at post mile R14.9, in Stanislaus County. The purpose of the project is to maximize pollution source control and reduce the amount of trash entering the Tuolumne River at this location. The project is needed due to the location being identified as a significant trash generating area with large amounts of trash discharging through stormwater runoff from SR 99 into the Tuolumne River. The trash full capture device, recommended by the project development team as the preferred type of device, will be a Trash Net.</p>	
See continuation sheet.	

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: 3(d).** (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

C. Scott Guidi	<i>C. Scott Guidi</i>	4/2/2021
Print Name	Signature	Date

Project Manager

Wuthy Seng	<i>Wuthy Seng</i>	4/2/2021
Print Name	Signature	Date



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Caltrans NEPA Determination (Check one)

Not Applicable

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) (22)
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

C. Scott Guidi
Print Name Signature Date 4/2/2021

Project Manager/ DLA Engineer

Wuthy Seng
Print Name Signature Date 4/2/2021

Date of Categorical Exclusion Checklist completion: 4/2/2021
Date of Environmental Commitment Record or equivalent: 3/25/2021



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Continuation sheet:

The proposed Trash Net will be installed within an existing channel upstream of a cross drainage culvert located off SR 99 at Zeff Road, in the city of Modesto. The trash net will consist of two flanking overflow weirs on either side of the pipe and will be anchored to a concrete pad 6" thick. A disposable trash net will be attached to the end of the pipe to capture the trash particles from being discharged to the water body. All project work will be within Caltrans' right of way. The Trash Net will be used to capture trash from stormwater runoff from the adjacent freeway before it discharges into the nearby lower Tuolumne River. The project is located within a significant trash generating area along this segment of SR 99. The installation of the Trash Net will bring Caltrans in compliance with the trash provisions as identified in the statewide trash implementation plan. The proposed project will improve the water quality objectives as identified in the statewide trash control provisions.

Environmental Provisions:

General

The project is Categorical Exempt under the California Environmental Quality Act (CEQA) and Categorical Excluded under the National Environmental Policy Act (NEPA) unless: (1) The scope of the project changes to include additional activities or areas; or (2) There is unforeseen discovery of sensitive or cultural resources. Environmental reevaluation will be required if any one of 1 and 2 occurs.

Air

The project is exempt from all project-level conformity requirement per Table 2 of 40 CFR 93.126 under the project type "Shoulder Improvements". The Transportation Air Quality Conformity Checklist was completed February 10, 2021. The following Caltrans Standard Specifications will require the contractor to comply with the air pollution control rules, ordinances, and regulations and statues:

AQ 1- Caltrans Standard Specifications Section 14-9.02, Air Pollution Control

AQ 2- Caltrans Standard Specifications Section 10-5, Dust Control

Biology

Per the project scope, the proposed project will have "no effect" on any special status habitats or vegetation communities considered for environmental review. The project will require the disturbance of urban or ruderal vegetation but is not expected to result in the loss of mature trees or shrubs. No Clean Water Act Section 404 permit or Section 401 Certification is required. No California Fish and Game Code Section 1600 Agreement is required. No consultation under the federal Endangered Species Act or California Endangered Species Act is required.



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Measures would be implemented to prevent the “take” (as defined by California Fish and Game Code Section 86 or defined by the Federal Endangered Species Act (FESA) Section 3) of FESA or California Endangered Species Act (CESA) listed species, California Species of concern, California Fully Protected Species, California “rare” plant species, plant species protected by the California Native Plant Protection Act, or CNDDDB tracked species or habitats.

BIO 1- Caltrans Standard Specification Section 14-6.03 A, Species Protection

BIO 2- Caltrans Standard Specification Section 14-6.03 B, Bird Protection

The above Caltrans Standard Specifications will be implemented to define protective Environmental Study Area (ESA) distances for certain bird species as per below:

- If an active raptor is observed, a 300-foot ESA will be implemented 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 will be implemented around the nest until the young have fledged or a qualified biologist determines that construction may proceed.

Pre-construction surveys and/or biological monitoring for nesting migratory birds or raptors, or other sensitive species would be required if construction activities occur during the migratory bird nesting season (February 1 to September 30). Because the environmental study limit is relatively small and because a relatively small number of working days (90 working days or less) is expected, it is suggested that a Department-supplied biologist would be responsible for any pre-construction surveys and/or construction monitoring for sensitive biological resources. No long-term, post construction survey, monitoring, or mitigation effort is expected or required.

Cultural

The project has a determination under Section 106 of the National Historic Preservation Act of *No Historic Properties Affected*. The proposed project will not directly or indirectly affect any known archaeological resources. Therefore, the proposed project is exempt from further cultural review.

Executive order 12898 (Environmental Justice)

No minority or low-income populations would be adversely affected by the proposed project have been identified in the project area. There is a mobile home park community, *Sunny Village Mobile Home and RV Park*, adjacent to the project area that would be considered an Environmental Justice population under Executive Order 12898. Considering the scope and nature of the proposed project work, there would be no affect or impact to this community; Therefore, this project is not subject to the provisions of Executive Order 12898.



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Floodplains

The project is located within a 100-year base floodplain and will not result in a significant encroachment in the 100-year floodplain.

Hazardous Waste

There is a potential to encounter non-hazardous concentrations of Aerially Deposited Lead (ADL) while working in unpaved areas adjacent to the highway. There is a potential to encounter ADL impacted soil during project construction. A project specific ADL soil survey shall be conducted prior to construction activities. A preliminary site investigation (PSI) will be conducted in the Plans, Specifications, and Estimates (PS&E) phase of the project and additional SSPs may be added based on results of the PSI.

Noise

The project will have no adverse noise impacts; however, during construction, the project should comply with Caltrans Standard Specifications regarding construction noise.

NQ 1- Caltrans Standard Provision 14-8.02, Noise Control, which states construction noise resulting from work activities should not exceed 86 Dba at 50 feet from the job site from 9:00 pm to 6:00 am.

NQ 2- All equipment will have sound-control devices that are no less effective than those provided on the original equipment.

Water

The project will have no adverse effect on Water Quality. In order to eliminate or minimize any potential impacts to the environment, the following measures will be implemented:

- If the project disturbs one acre or more of soil:
 1. A Notification of Intent (NOI) is to be submitted to the appropriate Regional Water Quality Control Board at least 30 days before the start of construction.
 2. A Stormwater Pollution Prevention Plan (SWPPP) is to be prepared and implemented during construction to the satisfaction of the Resident Engineer.
 3. A Notice of Termination (NOT) shall be submitted to the Regional Board upon completion of construction and site stabilization. A project will be considered complete when the criteria for the final stabilization in the Construction General Permit are met.



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- If the project disturbed less than one acre of soil:
WQ 1- Caltrans Standard Specifications Section 13-1, Water Pollution Control, will be added to the construction contract. The contractor must abide by best management practices and address all potential water quality impacts that may occur during construction.