



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

**Project Information**

**Project Name (if applicable):** Lodi Roadside Rehab

**DIST-CO-RTE:** 10-SJ-99

**PM/PM:** 28.700/31.700

**EA:** 10-1H650/1018000282

**Federal-Aid Project Number:**

**Project Description**

The California Department of Transportation (Caltrans) proposes to rehabilitate the roadside planting along State Route (SR) 99 from South Lodi Overcrossing to Mokelumne River Bridge in San Joaquin County. To bring this section of SR 99 into compliance with Caltrans Water Conservation and Drought Plan, the existing irrigation system will be upgraded to increase efficiency and to redesign or restore the highway planting with drought-tolerant plant material and wood mulch or rock.

*Continued on page 3, 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 4(b).** (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>	5/3/2021
Print Name	Signature	Date

**Project Manager**

Allen Lao	<i>Allen Lao</i>	5/3/2021
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)(7)
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 5/3/2021

Project Manager/ DLA Engineer

Allen Lao
Print Name Signature Date 5/3/2021

Date of Categorical Exclusion Checklist completion: 05/03/2021
Date of Environmental Commitment Record or equivalent: 05/03/2021

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:**

New irrigation laterals will be needed and trenching up to 12" may be required. The planting and irrigation throughout this section of SR 99 in Lodi has become deficient from damage and plant mortality. These deficiencies have led to reoccurring maintenance issues. There will also be some fencing added or replaced along SR 99. All work is anticipated to be in State right-of-way (ROW).

### **General**

This project is Categorically Exempt under the California Environmental Quality Act (CEQA) and Categorically 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

### **Air**

Under 40 CFR section 93.126, Table 2 project type *Other- Plantings, Landscaping, etc.*, the proposed project is exempt from all project-level conformity requirements.

### **Biology**

Under Section 7 of the Federal Endangered Species Act and under the California Endangered Species Act for State-listed species, a *No Effect* determination was made for the proposed project. No permits under California Fish and Game Code Section 1602 Lake and Streambed Alteration agreement, Clean Water Act Section 404 or Section 401 Certification are required. Due to potential nesting habitat for migratory birds, such as: range lands, agricultural fields, mature trees, and large shrubs being observed within and adjacent to the project limits, Species Protection Special Provision shall be included in the construction contract. A preconstruction survey for migratory birds and raptors will be required fourteen (14) days prior to start of construction, if construction activities occur within the migratory bird nesting season (February 1 – September 30). If migratory birds or raptors are found nesting within or adjacent to a work area during construction, the following Environmentally Sensitive Area (ESA) buffers will be required:

- If any active migratory bird nest is observed, a 100-foot ESA buffer is required.
- If any active Tricolored blackbird nest is observed, a 250-foot ESA buffer is required.
- If an active burrowing owl burrow is observed during non-breeding season (September 1 – January 31), then a 165-foot ESA buffer would be required. If observed during breeding season (February 1 - August 31), then a 250-foot buffer is required.
- If an active raptor nest is observed, a 300-foot ESA buffer is required.
- If an active Swainson's hawk nest is observed, a 600-foot ESA buffer is required.

All above ESA buffers will be implemented and avoided until the young have fledged or a qualified biologist determines that construction may proceed.



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### ***Cultural***

A Section 106 Compliance Screened Undertaking was completed for this project. It was determined that the current proposed work falls under Section 106 PA Attachment 2 “classes of screened undertaking” for Class 25 and is exempt from further review.

### ***Executive Order 11988 and 23 CFR 650.105 (Floodplains)***

The project is not located within a 100-year base floodplain.

### ***Executive Order 12898 (Environmental Justice)***

Within 0.5 miles of the northernmost postmile of the project area are two communities, *Casa De Lodi Mobile Estates* and *Mokelumne Beach RV Park*. For the purposes of the proposed project, these communities would be considered an Environmental Justice population under Executive Order 12898. As the scope and nature of the proposed project work would not affect or cause permanent impacts to these communities, and project work will be within State ROW, there will be no disproportionate impact on an Environmental Justice population. The proposed project will not cause disproportionately high and adverse effects on any minority or low-income populations in accordance with the provisions of Executive order 12898. No further environmental justice analysis is required at this time.

### ***Hazardous Waste***

Aerially Deposited Lead (ADL) is known to occur in unpaved areas adjacent to highways. As the proposed project work would involve minor soil excavation, Caltrans Standard Special Provision pertaining to ADL 14-11.09 shall be added to the construction contract and a Lead Compliance Plan (LCP) is required.

### ***Noise***

Construction activities may intermittently dominate the noise environment in the immediate area of construction and is not anticipated to cause adverse noise impacts. Caltrans Standard Specification Section 14-8.02 *Noise Control* would be included in construction contract. Implementing the below measure would minimize temporary noise impacts from construction activities:

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

### ***Section 4(f)***

A Section 4(f) *No Use* memo was completed for the proposed project, and it was determined that the provisions of Section 4(f) do not apply.



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### **Water**

There is potential for temporary short-term impacts to water quality in construction. To avoid potential impacts, appropriate best management practices (BMP)s will be implemented, and Caltrans Standard Specification Section 13-1 *Water Pollution* will be included in the construction contract.

If the project disturbs one acre or more of soil, the following would be required:

1. A Notification of Intent (NOI) is to be submitted to the appropriate Regional Water Quality Control Board at least 30 days prior to 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 Water Quality Control Board upon completion of construction and site stabilization. A Project will be considered complete when the criteria for final stabilization in the Construction General Permit are met.

If the project disturbs less than one acre of soil, a Water Pollution Control Plan (WPCP) is required to be prepared by the contractor per the Caltrans Standard Specification Section 13-1 *Water Pollution*.