



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

Project Information
DIST-CO-RTE: 01-MEN-101 **PM/PM:** 48.33/48.33
EA: 01-26200 **Federal-Aid Project Number:** 0100000005

Project Description
 The California Department of Transportation (Caltrans) intends to relinquish parcels adjacent to Hwy 101 in Willits / Little Lake Valley in Mendocino County. These parcels were originally purchased as part of the Willits Bypass Project and they have been split into three segments (Segment 1, 2, and 3 respectively). This property is no longer required for Right of Way, or other operational purposes, and is considered surplus land by Caltrans. This clearance is needed to complete the CTC package for County Relinquishment.

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 12.** (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

Jeff Swindle	Jeff Swindle <small>Digitally signed by Jeff Swindle Date: 2021.08.18 14:11:46 -07'00'</small>	8/18/2021
Print Name	Signature	Date

Project Manager

Gary Banducci	<i>Gary Banducci</i>	9-14-2021
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: Enter date
Date of Environmental Commitment Record or equivalent: Enter date

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:

The relinquishment of surplus land is considered a discretionary action under CEQA; therefore, technical studies should be prepared to support the finding for a CEQA Categorical Exemption. NEPA is not triggered.

Biology

- No impact to any natural resource or sensitive species is anticipated to result from the relinquishment of this parcel and no permits will be required for this project according to the NESMI.

Cultural Resources

- The relinquishment was split into segments to work with County.
- Based on the Historical Resources Compliance Report (HRCR) Segment 1 had no resources.
- Based on the HRCR Segment 2 had no resources.
- Based on the HRCR Segment 3 did, thus includes a Protective Covenant as follows:

The California Department of Transportation covenants on behalf of itself, its heirs, successors and assigns at all times to the County of Mendocino (Grantee) to maintain and preserve archeological site CA-MEN-3645/H within Segment 3 as follows:

- 1. No subsurface ground disturbance shall occur below 130 cm (51.25 inches). Below 130 cm, Prehistoric site CA-MEN-3645/H will be identified as a vertical Environmentally Sensitive Area (vertical ESA). Examples of prohibited activities include but are not limited to grading, plowing, disking, planting, vegetation removal, trenching, auguring, drilling, road building, or construction of any kind.
- 2. The location and description of CA-MEN-3645/H is strictly confidential. The Grantee shall not disclose knowledge of CA-MEN-3645/H to any individuals or groups in public, except in an effort to ensure protection of the Property. Prohibited activities under this provision include, but are not limited to, publishing articles and flyers, posting on web sites, sending and exchanging emails, having oral conversations, and conducting tours, regarding the location and description of CA-MEN-3645/H.
- 3. No signage identifying CA-MEN-3645/H will be erected near the ESA and no maps will be displayed that discloses its location to the public or unauthorized individuals. Signs indicating the Grantee needs to be contacted prior to any ground disturbing activities at this location are allowed near CA-MEN-3645/H.
- 4. No fencing will be constructed around CA-MEN-3645/H unless it is required to protect the site from direct or indirect impact or from other activities at or near CA-MEN-3645/H. If fencing is deemed necessary, a qualified archaeologist and Native American tribes should be consulted to ensure that the boundaries of the



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CA-MEN-3645/H are correctly identified, an appropriate design is used to protect the vertical ESAs integrity, and to determine if an archaeological investigation would be required prior to the installation of the fence posts. If necessary, approved mitigation measures should be undertaken as specified in Provision No.5 herein.

- 5. The Grantee will be required to follow the Secretary of Interior (SOI) Standards, for purposes of preservation and for any future actions determined necessary by the Grantee within or near the vertical ESA for CA-MEN-3645/H. Principal No. 8 from the SOI Standards will apply "Archaeological resources will be protected and preserved in place. If such resources must be disturbed, approved mitigation measures will be implemented." Such measures will be undertaken in consultation with a qualified archaeologist and Native American tribes.
- 6. No permissions will be given for either avocational or professional excavations at CA-MEN-3645/H unless for purpose of mitigation of impacts as specified in Provision No. 5.
- 7. No artifact collecting will be permitted unless for purposes of mitigation of impacts as specified in Provision No. 5.
- 8. The Grantee will monitor the conditions at CA-MEN-3645/H. If impacts to the vertical ESA are noted or seem likely to have occurred, Grantee will take appropriate actions to halt, reverse, or legally permit these impacts.
- This agreement is binding on the County of Mendocino, its heirs, successors and assigns to Segment 3, in perpetuity. Restrictions, stipulations, and covenants contained herein shall be inserted by the County of Mendocino verbatim or by express reference in any deed or other legal instrument by which it divests itself of either the fee simple title or any lesser estate in Segment 3 or any part thereof.
- Each Party to this agreement warrants that it and the respective signatories have full right and authority to enter into this agreement and that each Party is an authorized legal entity under the laws of the State of California.

Hazardous Waste

- Caltrans hazardous waste staff reviewed the proposed project in February 2021 and determined that no significant hazardous waste/materials were identified.

Permits

- No Permits will be required for this project.