



**CEQA EXEMPTION / NEPA CATEGORICAL EXCLUSION
DETERMINATION FORM (rev. 04/2021)**

Project Information

Project Name (if applicable): Middle River Bridge Dolphin Replacement

DIST-CO-RTE: 10-SJ-4

PM/PM: 4.4

EA: 10-1N210

Federal-Aid Project Number: N/A

Project Description

The California Department of Transportation (Caltrans) proposes replacing a dolphin structure at the Middle River Bridge (Bridge No. 29-0049) at post mile 4.4 on State Route (SR) 4, in San Joaquin County. The existing dolphin structure at Pier 5 was severely damaged by a fire. The scope of work includes removing the existing fire-damaged timber piles and installing a new dolphin structure comprised of six new timber piles and navigational signs. All work will occur within existing Caltrans Right of Way. The purpose of restoring the dolphin function is to prevent marine vessels from colliding with Pier 5 of the bridge structure. The project is needed to ensure the functionality of the Middle River Bridge and safety of travelers across the river.

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

11/8/2021

Print Name

Signature

Date

Project Manager

Jose A. Alicea II

11/08/2021

Print Name

Signature

Date



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Caltrans NEPA Determination (Check one)

[X] 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)(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 (if applicable): N/A
Date of Environmental Commitment Record or equivalent: 11/08/2021

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:

General –

- Environmental reevaluation will be required if the scope of the project changes to include additional areas or activities, or if previously unknown cultural or other sensitive resources are discovered. Contact Environmental Office if project changes occur or sensitive resources discovered.
- The District 10 Environmental Office must attend the pre-construction meeting to discuss any environmental concerns and avoidance measures prior to the start of any construction related activities. Construction related activities may not commence until authorized by the D10 Environmental Office.

Cultural –

- If cultural resources are discovered at the job site, do not disturb the resources and immediately:
 1. Stop all work within a 60-foot radius of the discovery
 2. Protect the discovery area
 3. Notify the EngineerThe Department investigates. Do not move cultural materials or take them from the job site. Retain a qualified archeologist to assess the significance of the find. Do not resume work within the discovery area until authorized.
- If human remains are discovered, State Health and Safety Code Section 7050.5 states that further disturbances and activities shall cease in any area or nearby area suspected to overlie remains, and the County Coroner should be contacted. Pursuant to Public Resources Code Section 5097.98, if the remains are thought to be Native American, the coroner will notify the Native American Heritage Commission (NAHC) which will then notify the Most Likely Descendent (MLD). At that time, the landowner will work with the MLD on the respectful treatment and disposition of the remains. Further provisions of PRC 5097.98 are to be followed as applicable.

Hazardous Waste –

- The project would require removal of timber posts. Caltrans Standard Special Provision (SSP) 14-11.14 regarding the handling, storing, transporting, and disposing of treated wood waste shall be included in the construction contract.

Biology –

- In-water work is only permitted from August 1 to October 31. No in-water activity is allowed throughout the entire project limits from November 1 to July 31. Include Caltrans Standard Special Provision (SSP) 10-1.03 in the construction contract.



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- USFWS requires all vegetation and upland areas with animal burrows up to 200 feet of aquatic habitat, inside the project area, to be grubbed and graded prior the giant garter snake wintering period. All grubbing, vegetation clearing, and grading work must be completed between May 1 and October 1. Include Caltrans Standard Special Provision (SSP) 14-6.03A in the construction contract.
- If work occurs beyond October 1, a USFWS approved biologist will be onsite to monitor all ground disturbing construction activities (between October 2 and April 30) and will remain onsite until the work is completed. Include Caltrans Standard Special Provision (SSP) 14-6.03A in the construction contract.
- No new excavation will be conducted within suitable upland habitat for giant garter snakes between October 2 and April 30. Include Caltrans Standard Special Provision (SSP) 14-6.03A in the construction contract.
- A Caltrans qualified biologist will conduct a pre-construction survey for the giant garter snake (GGS) within 24 hours prior to the onset of any construction activities. Thereafter, if construction activities halt for a period of more than 14 days, a subsequent GGS survey may be required prior to construction activities recommencing. Include Caltrans Standard Special Provision (SSP) 14-6.03A in the construction contract.
- All personnel working in the project area must participate in a pre-construction Worker Environmental Awareness Program training session to educate all construction staff about the presence of giant garter snake habitat in and near the Project area, and to instruct them on proper avoidance and reporting. This training will occur prior to start of any construction activities. Please contact the Caltrans District 10 Environmental Office 30 days prior to the start of construction. Include Caltrans Standard Special Provision (SSP) 14-6.03A in the construction contract.
- If any giant garter snake is observed in the construction and/or staging areas, construction work will stop in the immediate area of the siting. Notify the Caltrans District 10 Environmental Office immediately. The USFWS/CDFW will be notified by a qualified Caltrans biologist. Giant garter snake will be allowed to move out of the project area by itself. Construction will not proceed until the work area is determined to be free of giant garter snake. The results of these surveys will be documented in a technical memorandum by a Caltrans qualified biologist, which will be submitted to USFWS/CDFW. Include Caltrans Standard Special Provision (SSP) 14-6.03A in the construction contract.
- The use of plastic, monofilament, jute, or similar erosion control matting that could entangle snakes at the Project site is prohibited. Include Caltrans Standard Special Provision (SSP) 14-6.03A in the construction contract.



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- Movement of heavy equipment within 200 feet of the banks of suitable giant garter snake aquatic habitat will be confined to designated access routes as much as possible to minimize habitat disturbance. Include Caltrans Standard Special Provision (SSP) 14-6.03A in the construction contract.
- Construction equipment will not be refueled within 100 feet of the river. Construction by-products and pollutants such as petroleum products, chemicals, or other deleterious materials will not be allowed to enter the River or other waters. A plan for the emergency cleanup of any fuel spills or other material will be available when construction equipment is in use, or a Water Pollution Control Plan. Include Caltrans Standard Special Provision (SSP) 14-6.03A in the construction contract.
- Construction vehicles and equipment will be maintained to prevent contamination of soil or water from external grease and oil or from leaking hydraulic fluid, fuel, oil, and grease. Include Caltrans Standard Special Provision (SSP) 14-6.03A in the construction contract.
- Sediment control devices such as silt fences will be placed around all work areas, staging areas, soil stockpiles, or other disturbed ground and maintained for the duration of construction to prevent erosion of fine-textured sediment into the river. The contractor will take all reasonable precautions to prevent increases in downstream turbidity. Include Caltrans Standard Special Provision (SSP) 14-6.03A in the construction contract.
- Fish passage shall be maintained across the entire project limits for the entire duration of all construction activities. Include Caltrans Standard Special Provision (SSP) 14-6.03A in the construction contract.
- Standard construction BMPs will be implemented throughout construction, to avoid and minimize adverse effects to the water quality within the project impact area. All disturbed soils will undergo erosion control prior to October 15 and/or immediately after construction is terminated. Include Caltrans Standard Special Provision (SSP) 14-6.03A in the construction contract. Appropriate erosion control measures will be used to reduce siltation and contaminated runoff from project site. Include Caltrans Standard Special Provision (SSP) 14-6.03A in the construction contract.

Permits –

- California Department of Fish & Wildlife Lake or Streambed Alteration Agreement, Notification No. 1600-2019-0449-R3.