



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

**Project Information**

**Project Name (if applicable):** State Route 49 Angels Camp Upgrade

**DIST-CO-RTE:** 10/CAL/SR49

**PM/PM:** 7.4/9.5

**EA:** 10-1H700

**Federal-Aid Project Number:**

**Project Description**

The Department of Transportation (Caltrans) proposes to reconstruct non-compliant A.D.A. elements to current standards. Construct new curb ramps; sidewalks; driveways where needed; and provide improvements to pedestrian mobility. With additional funding from the Complete Streets Reservation, the project proposes to add additional features such as a Class 2 bike lane, and on-street parking.

**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(c), 4(h).** (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 Commonsense 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> | 10/18/2021 |
| Print Name     | Signature             | Date       |

**Project Manager**

|            |                  |            |
|------------|------------------|------------|
| Allen Lao  | <i>Allen Lao</i> | 10/18/2021 |
| 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)(3)

23 CFR 771.117(d): activity (d)

Activity 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 C. Scott Guidi 10/18/2021
Print Name Signature Date

Project Manager/ DLA Engineer

Allen Lao Allen Lao 10/18/2021
Print Name Signature Date

Date of Categorical Exclusion Checklist completion (if applicable): n/a
Date of Environmental Commitment Record or equivalent: Enter date

Briefly list environmental commitments on the 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:**

### **Purpose and Need:**

The purpose of the project is to upgrade pedestrian facilities to current American with Disabilities Association (ADA) standards and to improve pedestrian mobility and accessibility along State Route 49. The need is to address access barriers and fix the existing non-compliant ADA curb ramps, sidewalks, driveways, and pedestrian facilities within the project area.

### **Project Description:**

The Department of Transportation (Caltrans) proposes to reconstruct non-compliant A.D.A. elements to current standards. Construct new curb ramps; sidewalks; driveways where needed; and provide improvements to pedestrian mobility. With additional funding from the Complete Streets Reservation, the project proposes to add additional features to the project area. The proposed project features include:

- Widening of the westbound shoulder on State Route 49 (SR49) to include a Class 2 bike lane with on-street parking in front of Brett Harte High School from Murphy's Grade Road to Lee Lane. This will allow for a continuous Class 2 bike lane throughout the project limits without taking away the on-street parking adjacent to the high school.
- Construct a new sidewalk along eastbound SR49 from Post Mile 7.7 to Sam's Way, adjacent to Utica Park. The current sidewalk ends at Post Mile 7.7 and residents are walking along the shoulder to access Utica Park.
- Construct a concrete medium island and crosswalk at post mile 7.75
- Construction landscape buffers and install street lighting.

### **Right-of-Way Requirements:**

Most construction activities will take place within Caltrans' Right-of-Way. Temporary construction easements will be required at approximately 54 locations to construct project improvements. Two permanent right-of-way acquisitions will occur for this project. One at Bret Hart High school, located at 364 Murphy's Grade Road, for the construction of a bus stop and on-street parking, and the second at the corner of State Route 49 and Stockton Street.

### **General:**

Under the California Environmentally Quality Act (CEQA), this project is Categorical Exempt and under the National Environmental Policy Act (NEPA), it is Categorical Excluded unless 1) the scope of the project changes to include additional activities; or 2) there is an unforeseen discovery of sensitive or cultural resources.

### **Biological Resources:**

Per the Biological Resources Evaluation (No Effect) Memo, dated August 12, 2021, the project will have "No Effect" on any federally or state-listed plant or animal species. No



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Clean Water Act 404 Permits, Section 401 Certification, or California Fish and Game Code Section 1600 Agreements.

With the implementation of Caltrans 2012 Standard Specifications 14-6.03B (Bird Protection), the project is not expected to result in the “take” of any migratory birds, raptors, or their active nest.

- For work that is scheduled between February 1<sup>st</sup>- September 30<sup>th</sup>, a nesting migratory bird/nesting raptor survey will be performed 14 days before any construction activities. Construction work will be approved if the bird survey shows an absence of nesting birds.
- If activities fail to commence within 14 days or construction activities are halted for more than 14 days, another nesting migratory bird, nesting raptor survey must be performed before construction activities can recommence.

If nesting migratory birds or raptors are found during the preconstruction survey or construction activities, the following environmentally sensitive area (ESA) buffers will be required per Caltrans 2018 Standard Special Specifications and/or Special Provision:

- If any active migratory bird's nest is observed, a 100-foot ESA buffer must be implemented and avoided until the young have fledged or a qualified biologist determines that construction may proceed.
- If any active raptor's nest is observed, a 300-foot ESA buffer must be implemented and avoided until the young have fledged or a qualified biologist determines that construction may proceed.

### **Cultural Resources:**

The Historical Resources Evaluation Report dated September 1, 2021, determined no historical properties will be affected by the project. The Historical Resources Evaluation Report evaluated three properties within the project area and determined they are not historical resources under CEQA.

Caltrans submitted a Historic Property Survey Report (HPSR), Archaeological Survey Report (ASR), and HRER documenting a Finding of No Historic Properties Affected for the proposed Undertaking and requesting the State Historic Preservation Officer (SHPO) concurrence on September 16, 2021. The 30 day review period ended on October 18, 2021, and because there was no objection from the State Historic Preservation Officer or any consulting party. Caltrans notified SHPO that it is moving forward with the Undertaking, pursuant to Stipulation VIII.C.6.a of the Section 106 PA.

### **Noise**

Per the Noise Compliance Study date July 30, 2021, with the implementation of Caltrans 2018 Standard Specifications Section 14-8 “Noise Control”, the project will not have any adverse noise impacts from construction activities. With the implementation of the following best management practices, any temporary noise impacts would be minimized:



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- Do not exceed 86 Decibels at 50 feet from the job site activities from 6 pm to 9 am.
- Equip an internal combustion engine with the manufacturer-recommended muffler. Do not operate an internal combustion engine on the job site without an appropriate muffler.

### **Water Quality**

Per the Water Quality Memorandum dated April 20, 2021, the project will not have any adverse impacts on water quality. With the implementation of best management practices, any temporary water quality impacts would be eliminated.

### **Air Quality**

Per the Air Quality Memorandum dated, July 23, 2021, the project will not have any adverse impacts on air quality. With the implementation of Caltrans 2018 Standard Specification 14-9.02 "Air Pollution Control" and Section 10-5 "Dust Control", any temporary impacts to air quality will be minimized.

If the project moves more than 2,500 cubic yards of material in a day for at least three days of the project or 5 or more acres of land will be disturbed during construction, a Dust Control Plan approved by the San Joaquin Valley Air Pollution Control District will be needed. A non-standard special provision will need to be included in the project specifications.

### **Hazardous Materials:**

Per the Initial Site Assessment, dated September 29, 2021, the project will not have adverse impacts due to hazardous materials or hazardous waste. The project has the potential to encounter Aerial Deposited Lead (ADL). With the implementation of Caltrans 2018 Standard Special Provision 7-1.02K(6)(j)(iii) "Earthen Material Containing Lead", any impacts from construction activities will be minimized. As part of the project, approximately 300 feet of metal beam guardrail will be removed. Treated wood waste is considered hazardous waste, and with the implementation of Standard Special Provisions 14-11.14, the project will not have any adverse impacts.

### **Visual Resources:**

Per the Scenic Resource Evaluation, Visual Impact Assessment Memo, dated August 4, 2021, the project will not adversely affect any designated scenic resources as defined by CEQA.

### **Section 4(f) Resources:**

Per the Section 4(f) Evaluation Memo, dated September 8, 2021, Caltrans has determined the project will not have any adverse effects on any Section 4(f) resource.

There were three potential historic properties evaluated within the project area and it was determined they are not eligible as a historic resource, therefore Section 4(f) does not apply.



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Caltrans has identified two public parks and one museum located within a one-half mile of the project area and has determined the properties are Section 4(f) properties, but no “use” will occur. Therefore, the provisions of Section 4(f) do not apply.

### **Community Impact Analysis:**

A Federal Highway Administration Community Impact Assessment Checklist was performed. Based upon the review of the checklist, it was determined the project would have no significant impacts on the community.

### **Environmental Justice:**

Since this project is a rehabilitation of existing facilities, including adding complete streets to aid in pedestrian mobility and safety, and by research using the Environmental Justice Screening and Mapping Tool (Ver. 2020), Caltrans has determined no minority or low-income populations would be affected by the proposed project have been identified as determined above. Therefore, this project is not subject to the provisions of Executive Order 12898.