



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

Project Information

Project Name (if applicable): HUM-299 Curve Improvement

DIST-CO-RTE: 01-HUM-299

PM/PM: 30.70 / 33.35

EA: 01-0J410 – 0119000025

Federal-Aid Project Number: N/A

Project Description

This safety improvement project is located in Humboldt County on State Route 299 from postmile (PM) 30.70 to PM 33.35. The project proposes to improve curves at three locations, widen shoulders to widths that vary between four and eight feet throughout the project limits, replace or modify culverts, replace existing metal beam guardrail with Midwest Guardrail System guardrail, and apply rumble strips and wet night visibility thermoplastic striping on the edge of the traveled way. The purpose of this project is to improve safety for motorists, pedestrians, and bicyclists, and to reduce the frequency and severity of collisions within the project limits. This project is needed due to a rate of collisions within the project limits are three times higher than the statewide average.

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** 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

| | | |
|------------|-------------------------------------------------------------------------------------|-----------|
| Julie East |  | 4/14/2021 |
| Print Name | Signature | Date |

Project Manager

| | | |
|-------------|--------------------------------------------------------------------------------------|-----------|
| Robert King |  | 4/14/2021 |
| 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)(26)

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

Julie East
Print Name
Signature
Date 4/14/2021

Project Manager/ DLA Engineer

Robert King
Print Name
Signature
Date 4/14/2021

Date of Categorical Exclusion Checklist completion: 4/14/2021
Date of Environmental Commitment Record or equivalent: 4/14/2021

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:

The curve improvement locations would include the construction of three Rail Element Walls (REW) at Location A (PM 31.40-31.66), Location B (PM 32.00-31.66), and Location C (PM 32.91-33.12). The REW would consist of Soldier Pile Ground Anchor or Mechanically Stabilized Earth walls. Fifteen culverts would receive modifications to inlets or outlets to accommodate road widening or be replaced according to culvert condition.

Biological, cultural, visual, water quality, air, noise, greenhouse gas, energy, and hazardous materials reviews have been completed. The following permits and approvals are anticipated:

- Clean Water Act Section 404 from the United States Army Corps of Engineers (USACE).
- Clean Water Act Section 401 Certification from the North Coast Regional Water Quality Control Board.
- Lake and Streambed Alteration Agreement from the California Department of Fish and Wildlife.
- The Programmatic Letter of Concurrence (PLOC) would be used for Section 7 consultation with USFWS to address potential impacts to Northern Spotted Owl (NSO), Marbled Murrelet (MAMU), and Humboldt marten.

The following measures have been included as part of this project:

Aesthetics/Visual Resources

- AR-1: Temporary access roads, construction easements, and staging areas that were previously vegetated would be restored to a natural contour and revegetated with regionally appropriate native vegetation.
- AR-2: Where feasible, guardrail terminals would be buried; otherwise, an appropriate terminal system would be used, if appropriate.
- AR-3: Where feasible, construction lighting would be limited to within the area of work.
- AR-4: Where feasible, the removal of established trees and vegetation would be minimized. Environmentally sensitive areas would have Temporary High Visibility Fencing (THVF) installed before start of construction to demarcate areas where vegetation would be preserved, and root systems of trees protected.
- AR-5: Match the color of minor concrete installed under the guardrail to adjacent asphalt color to lessen any visual contrast and better recede into the surrounding environment.

Biological Resources

BR-1: General

Before start of work, as required by permit or consultation conditions, a Caltrans biologist or ECL would meet with the contractor to brief them on environmental permit conditions and requirements relative to each stage of the proposed project, including, but not limited to, work windows, drilling site



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management, and how to identify and report regulated species within the project areas.

BR-2: Animal Species

- A. To protect migratory and nongame birds (occupied nests and eggs), if possible, vegetation removal would be limited to the period outside of the bird breeding season (removal would occur between September 16 and January 31). If vegetation removal is required during the breeding season, a nesting bird survey would be conducted by a qualified biologist within one week prior to vegetation removal. If an active nest is located, the biologist would coordinate with CDFW to establish appropriate species-specific buffer(s) and any monitoring requirements. The buffer would be delineated around each active nest and construction activities would be excluded from these areas until birds have fledged, or the nest is determined to be unoccupied.
- B. Pre-construction surveys for active raptor nests within one-quarter mile of the construction area would be conducted by a qualified biologist within one week prior to initiation of construction activities. Areas to be surveyed would be limited to those areas subject to increased disturbance because of construction activities (i.e., areas where existing traffic or human activity is greater than or equal to construction-related disturbance need not be surveyed). If any active raptor nests are identified, appropriate conservation measures (as determined by a qualified biologist) would be implemented. These measures may include, but are not limited to, establishing a construction-free buffer zone around the active nest site, biological monitoring of the active nest site, and delaying construction activities near the active nest site until the young have fledged.
- C. To prevent attracting corvids (birds of the Corvidae family which include jays, crows, and ravens), no trash or foodstuffs would be left or stored on-site. All trash would be deposited in a secure container daily and disposed of at an approved waste facility at least once a week. Also, on-site workers would not attempt to attract or feed any wildlife.
- D. A qualified biologist would monitor in-stream construction activities that could potentially impact sensitive biological receptors. The biological monitor would be present during activities such as installation and removal of dewatering or diversion systems, bridge demolition, pile-driving and hoe-ramming, and drilling for bridge foundations to ensure adherence to permit conditions. In-water work restrictions would be implemented.
- E. An Aquatic Species Relocation Plan, or equivalent, would be prepared by a qualified biologist and include provisions for pre-construction surveys and the appropriate methods or protocols to relocate any species found. If previously unidentified threatened or endangered species are encountered or anticipated incidental take levels are exceeded, work would either be stopped until the species is out of the impact area, or the appropriate regulatory agency would be contacted to establish steps to avoid or minimize potential adverse effects. This Plan may be included as part of the Temporary Creek Diversion System Plan identified in BR-5.



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- F. Artificial night lighting may be required. To reduce potential disturbance to sensitive resources, lighting would be temporary, and directed specifically on the portion of the work area actively under construction. Use of artificial lighting would be limited to Cal/OSHA work area lighting requirements.
- G. A Limited Operating Period would be observed, whereby all in-stream work below ordinary high water would be restricted to the period between June 15 and October 15 to protect water quality and vulnerable life stages of sensitive fish species.
- H. To protect nesting or roosting Northern spotted owl and marbled murrelet, suitable Northern spotted owl or marbled murrelet nesting trees would be removed between September 15 and January 31. No construction activities generating noise levels greater than 90 decibels (dB) (with the exception of backup alarms) or activities generating sound levels 20 or more dB above ambient sound levels would occur between February 1 and August 5. Between August 6 and September 15, work that generates noise levels greater than 10 dB above ambient sound levels or above 90 dB max would observe a daily work window beginning 2 hours post-sunrise and ending 2 hours pre-sunset. Noise-related work windows would be lifted between September 16 and January 31. Further, no construction activities would occur within a visual line-of-sight of 131 feet or less from any known active nest locations for Northern spotted owl or marbled murrelet.
- I. Caltrans would contact USFWS if proposed (NSO/MAMU) habitat removal is within the designated critical habitat area to ensure removal would not result in an adverse effect.

BR-3: Invasive Species

Invasive non-native species control would be implemented. Measures would include:

- A. Straw, straw bales, seed, mulch, or other material used for erosion control or landscaping which would be free of noxious weed seed and propagules.
- B. All equipment would be thoroughly cleaned of all dirt and vegetation prior to entering the job site to prevent importing invasive non-native species. Project personnel would adhere to the latest version of the California Department of Fish and Wildlife Aquatic Invasive Species Cleaning/Decontamination Protocol (Northern Region) for all field gear and equipment in contact with water.

BR-4: Plant Species, Sensitive Natural Communities, and ESHA

- A. Seasonally appropriate, pre-construction surveys for sensitive plant species would be [completed or] updated prior to construction by a qualified botanist in accordance with Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Natural Communities (CDFW 2018).
- B. A Revegetation Plan would be prepared and would include a plant palette, establishment period, watering regimen, monitoring requirements, and pest control measures. The Revegetation Plan would also address measures for wetland and riparian areas temporarily impacted by the project.



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- C. Prior to the start of work, Temporary High Visibility Fencing (THVF) and/or flagging would be installed around sensitive natural communities, environmentally sensitive habitat areas, rare plant occurrences, intermittent streams, and wetlands and other waters, where appropriate. No work would occur within fenced/flagged areas.
- D. Where feasible, the structural root zone would be identified around each large-diameter tree (>2-foot DBH) directly adjacent to project activities, and work within the zone would be limited.
- E. After completion, all superfluous construction materials would be completely removed from the site. The site would then be restored by regrading and stabilizing with a hydroseed mixture of native species along with fast growing sterile erosion control seed, as required by the Erosion Control Plan.

BR-5: Wetlands and Other Waters

- A. The contractor would be required to prepare and submit a Temporary Creek Diversion System Plan to Caltrans for approval prior to any creek diversion. Depending on site conditions, the plan may also require specifications for the relocation of sensitive aquatic species (see also Aquatic Species Relocation Plan in BR-2). Water generated from the diversion operations would be pumped and discharged according to the approved plan and applicable permits.
- B. In-stream work would be restricted to the period between June 15 and October 15 to protect water quality and vulnerable life stages of sensitive fish species (see also BR-2L). Construction activities restricted to this period include any work below the ordinary high water. Construction activities performed above the ordinary high water mark of a watercourse that could potentially directly impact surface waters (i.e., soil disturbance that could lead to turbidity) would be performed during the dry season, typically between June through October, or as weather permits per the authorized contractor-prepared Water Pollution Control Plan (WPCP), Storm Water Pollution Prevention Plan (SWPPP) and/or project permit requirements.
- C. See BR-4 for Temporary High Visibility Fencing (THVF) information.

BR-6: Downstream Habitats and Aquatic Species

Caltrans will implement the following measures adapted from the National Marine Fisheries Service (NMFS) Biological Opinion for Caltrans' Routine Maintenance and Repair Activities Program in Caltrans Districts 1, 2 and 4 (PBO). No listed salmonids are present in the project area and therefore the use of these measures do not represent Section 7 consultation with NMFS.

- A: Equipment will be operated during the least sensitive diurnal, seasonal, and meteorological periods relative to the potential effects on listed species and habitat if feasible.
- B: Equipment will be inspected on a daily basis for leaks and completely cleaned of any external petroleum products, hydraulic fluid, coolants, and other deleterious materials prior to operating equipment.



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- C: A Spill Prevention, Control, and Countermeasures (SPCC) Plan will be developed for each project that requires the operation of construction equipment and vehicles. The SPCC Plan will be kept onsite during construction, and the appropriate materials and equipment will also be onsite during construction to ensure the SPCC Plan can be implemented. Personnel will be knowledgeable in the use and deployment of the materials and equipment so response to an accidental spill will be timely.
- D: Maintenance and fueling of construction equipment and vehicles will occur at least 15 meters from the OHWM or the edge of sensitive habitats (e.g., wetlands).
- E: Water pumped from areas isolated from surface water to allow construction to occur in the dry will be discharged to an upland area providing overland flow and infiltration before returning to stream. Upland areas may include sediment basins of sufficient size to allow infiltration rather than overflow or adjacent dry gravel/sand bars if the water is clean and no visible plume of sediment is created downstream of the discharge. Other measures may be used such as a baker tank or methods described in BMP NS-2.
- F: Trees as identified in any special contract provisions or as directed by the Project Engineer will be preserved.
- G: Hazard trees greater than 24-inches DBH will be removed only by direction of the Project Engineer.
- H: Trees will be felled in such a manner as not to injure standing trees and other plants to the extent practicable.
- I: ESAs will be fenced to prevent encroachment of equipment and personnel into wetlands, riparian areas, stream channels and banks, and other sensitive habitats.
- J: Soil compaction will be minimized by using equipment that can reach over sensitive areas and that minimizes the pressure exerted on the ground.
- K: Where soil compaction is unintended, compacted soils will be loosened after heavy construction activities are complete.
- L: Where vegetation removal is temporary to support construction activities, native species will be re-established that are specific to the project location and that comprise a diverse community of woody and herbaceous plants.
- M: Storage areas will disturb less than 2.5 acres of vegetated or currently undisturbed area.
- N: Storage areas will not disturb wetlands or other special status plant communities.
- O: For permanent storage areas that have been filled to capacity with sediment and debris, the final configuration will conform to natural contours (elevations, profile, and gradient) of surrounding terrain and native plant species will be established that are specific to the project location and comprise a diverse community of woody and herbaceous plants.
- P: Existing roadways and stream crossings will be used for temporary access roads whenever reasonable and safe.
- Q: The number of access and egress points and total area affected by vehicle operation will be minimized; disturbed areas will be located to reduce damage



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- to existing native aquatic vegetation, substantial large woody debris, and spawning gravel.
- R: Modified or disturbed portions of streams, banks, and riparian areas will be restored as nearly as possible to natural and stable contours (elevations, profile, and gradient).
 - S: Threatened infrastructure will be relocated to maintain or reestablish natural stream sediment processes to the extent feasible.
 - T: Bank stabilization will incorporate bioengineering solutions consistent with site-specific engineering requirements.
 - U: RSP, sheet piles, and other erosion control materials will be pre-washed to remove sediment and/or contaminants.
 - V: Temporary material storage piles (e.g., RSP) will not be placed in the 100 year floodplain during the rainy season (October 15 through May 31), unless material can be relocated within (i.e., before) 12 hours of the onset of a storm.
 - W: Before construction activities begin, the project environmental coordinator or biologist will discuss the implementation of the required BMPs with the maintenance crew or construction resident engineer and contractor and identify and document environmentally sensitive areas and potential occurrence of listed species.
 - X: Caltrans will designate a biological monitor to monitor onsite compliance with all project BMPs and any unanticipated effects on listed species.
 - Y: Non-compliance with BMPs and unanticipated effects on listed species will be reported to the resident engineer or maintenance supervisor immediately.
 - Z: When non-compliance is reported, the resident engineer or maintenance supervisor will implement corrective actions immediately to meet all BMPs; where unanticipated effects on listed species cannot be immediately resolved, the resident engineer or maintenance supervisor will stop work that is causing the unanticipated effect until the unanticipated effects are resolved.

Cultural Resources

- CR-1: If cultural materials are discovered during construction, work activity within a 60-foot radius of the discovery would be stopped and the area secured until a qualified archaeologist can assess the nature and significance of the find in consultation with the State Historic Preservation Officer (SHPO).
- CR-2: If human remains and related items are discovered on private or State land, they would be treated in accordance with State Health and Safety Code § 7050.5. Further disturbances and activities would cease in any area or nearby area suspected to overlie remains, and the County Coroner contacted. Pursuant to CA Public Resources Code (PRC) § 5097.98, if the remains are thought to be Native American, the coroner would notify the Native American Heritage Commission (NAHC) who would then notify the Most Likely Descendent (MLD). Human remains and related items discovered on federally owned lands would be treated in accordance with the Native American Graves Repatriation Act of 1990 (NAGPRA) (23 USC 3001). The procedures for dealing with the discovery of human remains, funerary objects, or sacred objects on federal land are described in the regulations that implement NAGPRA 43 CFR Part 10. All work in the



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vicinity of the discovery shall be halted and the administering agency's archaeologist would be notified immediately. Project activities in the vicinity of the discovery would not resume until the federal agency complies with the 43 CFR Part 10 regulations and provides notification to proceed.

Geology, Seismic/Topography, and Paleontology

GS-1: The project would be designed to minimize slope failure, settlement, and erosion using recommended construction techniques and Best Management Practices (BMPs). New earthen slopes would be vegetated to reduce erosion potential.

GS-2: In the unlikely event that paleontological resources (fossils) are encountered, all work within a 60-foot radius of the discovery would stop, the area would be secured, and the work would not resume until appropriate measures are taken.

Greenhouse Gas Emissions

GHG-1: Caltrans Standard Specification "Air Quality" requires compliance by the contractor with all applicable laws and regulations related to air quality.

GHG2: Compliance with Title 13 of the California Code of Regulations, which includes restricting idling of diesel-fueled commercial motor vehicles and equipment with gross weight ratings of greater than 10,000 pounds to no more than 5 minutes.

GHG-3: Caltrans Standard Specification "Emissions Reduction" ensures that construction activities adhere to the most recent emissions reduction regulations mandated by the California Air Resource Board (CARB).

GHG-4: Use of a Transportation Management Plan (TMP) to minimize vehicle delays and idling emissions. As part of this, construction traffic would be scheduled and routed to reduce congestion and related air quality impacts caused by idling vehicles along the highway during peak travel times.

GHG-5: All areas temporarily disturbed during construction would be revegetated with appropriate native species. Landscaping reduces surface warming and, through photosynthesis, decreases CO₂. This replanting would help offset any potential CO₂ emissions increase.

GHG-6: Pedestrian and bicycle access would be maintained on State Route 299 during project activities.

Hazardous Waste and Material

HW-1: Per Caltrans requirements, the contractor(s) would prepare a project-specific Lead Compliance Plan (CCR Title 8, § 1532.1, the "Lead in Construction" standard) to reduce worker exposure to lead-impacted soil. The plan would include protocols for environmental and personnel monitoring, requirements for personal protective equipment, and other health and safety protocols and procedures for the handling of lead-impacted soil.

HW-2: When identified as containing hazardous levels of lead, traffic stripes would be removed and disposed of in accordance with Caltrans Standard Special Provision "Residue Containing Lead from Paint and Thermoplastic."

HW-3: If treated wood waste (such as removal of signposts or guardrail) is generated during this project, it would be disposed of in accordance with Standard Specification "Treated Wood Waste."



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- HW-4: Address excavated soil with NSSP 7-1.02K(6)(j)(iii) EARTH MATERIALS CONTAINING LEAD.
- HW-5: It will be required to use NSSP 14-11.10 NATURALLY OCCURRING ASBESTOS since the project involves disturbance of soil containing NOA.
- HW-6: An Asbestos Compliance Plan and Dust Control Plan as contract items will be required for NOA disturbance.

Hydrology and Floodplain

- HF-1: No new structures would be placed which would result in a substantial backflow during a flood event.

Traffic and Transportation

- TT-1: Pedestrian and bicycle access would be maintained during construction.
- TT-2: The Contractor would be required to schedule and conduct work to avoid unnecessary inconvenience to the public and to maintain access to driveways, houses and buildings within the work zones.
- TT-3: A Transportation Management Plan (TMP) would be applied to the project.

Utilities and Emergency Services

- UE-1: All emergency response agencies in the project area would be notified of the project construction schedule and would have access to State Route 299 throughout the construction period.
- UE-2: Caltrans would coordinate with utility providers to plan for relocation of any utilities to ensure utility customers would be notified of potential service disruptions before relocation.

Water Quality and Stormwater Runoff

- WQ-1: The project would comply with the Provisions of the Caltrans Statewide National Pollutant Discharge Elimination System (NPDES) Permit (Order 2012-0011-DWQ) as amended by subsequent orders, which became effective July 1, 2013, for projects that result in a land disturbance of one acre or more, and the Construction General Permit (Order 2009-0009-DWQ). Before any ground-disturbing activities, the contractor would prepare a Stormwater Pollution Prevention Plan (SWPPP) (per the Construction General Permit Order 2009-0009-DWQ) or Water Pollution Control Plan (WPCP) (projects that result in a land disturbance of less than one acre), that includes erosion control measures and construction waste containment measures to protect waters of the State during project construction.

The SWPPP or WPCP would identify the sources of pollutants that may affect the quality of stormwater; include construction site Best Management Practices (BMPs) to control sedimentation, erosion, and potential chemical pollutants; provide for construction materials management; include non-stormwater BMPs; and include routine inspections and a monitoring and reporting plan. All construction site BMPs would follow the latest edition of the Caltrans Storm



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Water Quality Handbooks: Construction Site BMPs Manual to control and reduce the impacts of construction-related activities, materials, and pollutants on the watershed. The project SWPPP or WPCP would be continuously updated to adapt to changing site conditions during the construction phase.

Construction may require one or more of the following temporary construction site BMPs:

- Any spills or leaks from construction equipment (i.e., fuel, oil, hydraulic fluid, and grease) would be cleaned up in accordance with applicable local, state, and/or federal regulations.
- Accumulated stormwater, groundwater or surface water from excavations or temporary containment facilities would be removed by dewatering.
- Water generated from the dewatering operations would be discharged on-site for dust control and/or to an infiltration basin, or disposed of offsite.
- Temporary sediment control and soil stabilization devices would be installed.
- Existing vegetated areas would be maintained to the maximum extent practicable.
- Clearing, grubbing, and excavation would be limited to specific locations, as delineated on the plans, to maximize the preservation of existing vegetation.
- Vegetation reestablishment or other stabilization measures would be implemented on disturbed soil areas, per the Erosion Control Plan.
- Soil disturbing work would be limited during the rainy season.

WQ-2: The project would incorporate pollution prevention and design measures consistent with the 2016 Caltrans Storm Water Management Plan. This plan complies with the requirements of the Caltrans Statewide NPDES Permit (Order 2012-0011-DWQ) as amended by subsequent orders. The project design may include one or more of the following:

- Vegetated surfaces would feature native plants, and revegetation would use the seed mixture, mulch, tackifier, and fertilizer recommended in the Erosion Control Plan prepared for the project.
- Where possible, stormwater would be directed in such a way as to sheet flow across vegetated slopes, thus providing filtration of any potential pollutants.