

# NOTICE OF EXEMPTION

<b>TO:</b> <input checked="" type="checkbox"/> <b>Office of Planning and Research</b> PO Box 3044 Sacramento, CA 95812-3044  <input checked="" type="checkbox"/> <b>Siskiyou County Clerk</b> 510 N. Main St. Yreka, CA 96097	<b>FROM:</b> <b>City of Mt. Shasta</b> 305 N. Mt. Shasta Blvd. Mt. Shasta, CA 96067
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**Project Title:** Mt. Shasta Boulevard Pavement Overlay and Striping Project

**Project Location:** The proposed project is located in the City of Mt. Shasta, in Sections 8 and 9 of Township 40 North, Range 4 West, of the U.S. Geological Survey's City of Mt. Shasta 7.5-minute quadrangle. As shown in **Figure 1**, proposed improvements would occur within the public road right-of-way (ROW) of North Mt. Shasta Boulevard between the intersections of Spring Hill Road and Ski Village Drive.

<b>City:</b> Mt. Shasta	<b>County:</b> Siskiyou
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**Project Description, Purpose, and Beneficiaries:**  
The proposed project includes improvements to North Mt. Shasta Boulevard within the City of Mt. Shasta in order to repair a failing roadway and ensure that it is safe and reliable for vehicle traffic. Improvements include placing a hot mix asphalt pavement overlay on the existing road surface, followed by new pavement striping.

**Name of Public Agency Approving Project:** City of Mt. Shasta

**Name of Agency Carrying out the Project:** City of Mt. Shasta

**Local Agency Contact Person:** **Teresa R. Spade, City Planner**

**Exempt Status: Categorical Exemption:**  
California Code of Regulations, Title 14, Division 6, Chapter 3 (CEQA Guidelines):  
Class 1, §15301 (Existing Facilities)

**Reason Why Project Is Exempt:**  
Class 1 includes the repair, maintenance, or minor alteration of existing public structures, facilities, and mechanical equipment, involving negligible or no expansion of use. The project is consistent with this categorical exemption because work would consist of resurfacing of a City street, with no change in alignment or capacity. As documented in Attachment A, the proposed project would not have a significant effect on the environment due to unusual circumstances; would not result in damage to scenic resources within a Scenic Highway; is not located on a hazardous waste site pursuant to §65962.5 of the Government Code; would not cause a substantial adverse change in the significance of a historical resource; and would not result in cumulative impacts.

<b>Signature:</b>  Teresa R. Spade City Planner	<b>Date:</b> <u>Feb 8, 2022</u>
<b>Date Received for Filing at OPR:</b> <u>2/10/2022</u>	

**Attachments:** Vicinity Map  
Attachment A: Documentation in support of a Categorical Exemption

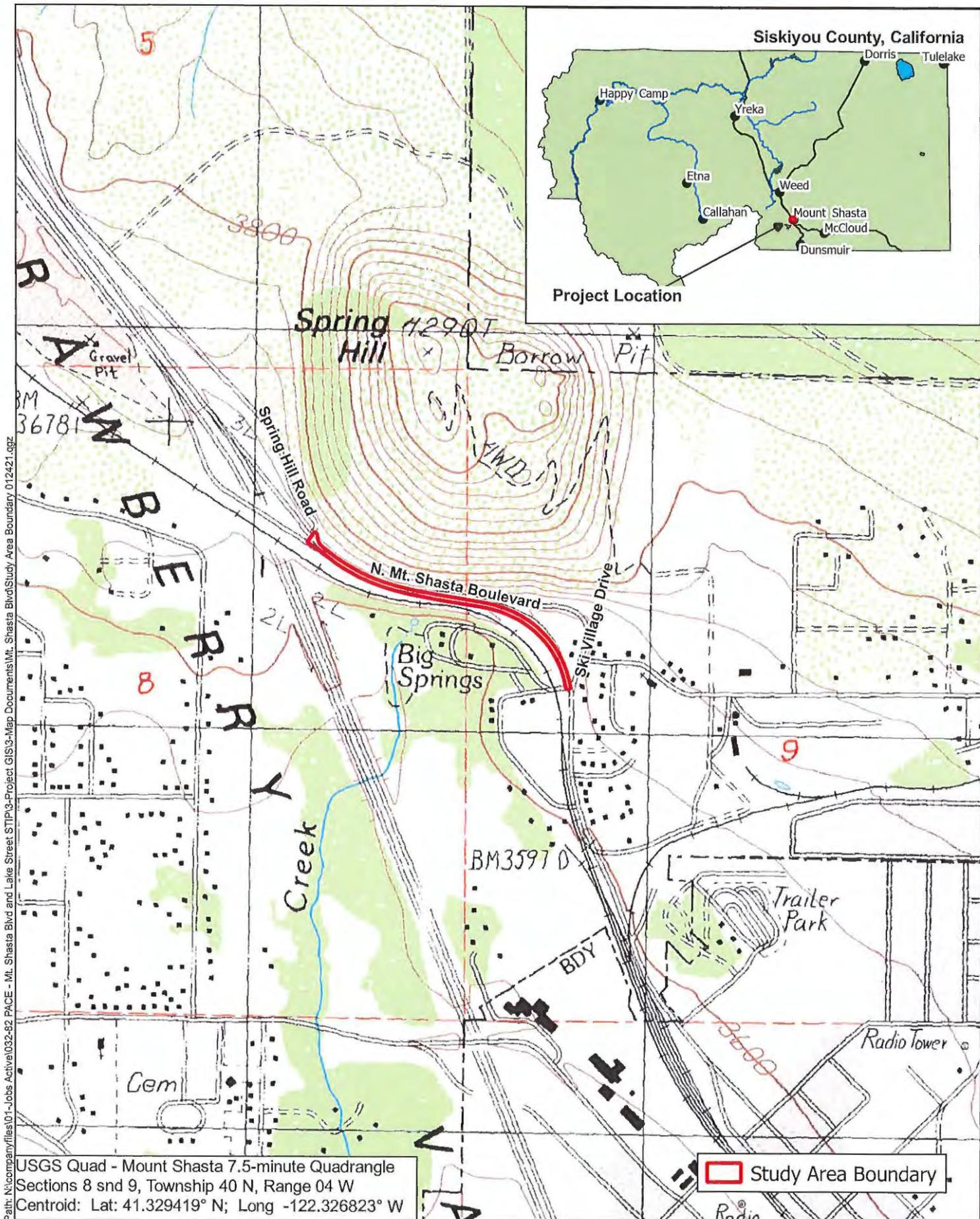


Figure 1

Project Location and Vicinity

**ATTACHMENT A**  
**Documentation for Categorical Exemption**  
**Mt. Shasta Boulevard Pavement Overlay and Striping Project**

As described in the Notice of Exemption (NOE), the proposed project is categorically exempt from CEQA pursuant to §15301 (Class 1-Existing Facilities) of the CEQA Guidelines. CEQA Guidelines §15300.2 identifies exceptions that override a lead agency's ability to use a categorical exemption. These exceptions are listed below, followed by documentation of why each exception does not apply to the proposed project.

**1. Location.** *Classes 3, 4, 5, 6, and 11 are qualified by consideration of where the project is to be located - a project that is ordinarily insignificant in its impact on the environment may in a particularly sensitive environment be significant. Therefore, these classes are considered to apply in all instances, except where the project may impact on an environmental resource of hazardous or critical concern where designated, precisely mapped, and officially adopted pursuant to law by federal, state, or local agencies.*

The proposed project is not supported a Class 3, 4, 5, 6, or 11 exemption. Therefore, this provision is not applicable to the proposed project.

**2. Cumulative Impact.** *All exemptions are inapplicable when the cumulative impact of successive projects of the same type in the same place, over time, is significant.*

The project involves improvements to Mt. Shasta Boulevard within the City of Mt. Shasta to ensure that it is safe and reliable for vehicle traffic. The City is currently planning one other pavement rehabilitation project, on East Lake Street, that could occur within the same time frame. The City also plans to complete sewer collection, water distribution, and storm drain systems improvements in road ROWs within South Downtown Mt. Shasta; however, the timing for these improvements has not yet been determined nor has funding been secured. Although the City may conduct other roadwork at the same time as the Mt Shasta Boulevard project, such work would occur in different parts of the City. Cumulative construction impacts for these projects would be minor, temporary, and cease at completion of the projects. In addition, none of the projects would result in a significant increase in capacity, and no long-term cumulative impacts would occur. Therefore, the impacts would not be cumulatively considerable.

**3. Significant Effect.** *A categorical exemption shall not be used for an activity where there is a reasonable possibility that the activity will have a significant effect on the environment due to unusual circumstances.*

An "unusual circumstance" exists if the project's circumstances differ from the general circumstances of projects covered by the applicable exemption, and, if so, whether there is a reasonable possibility of a significant effect on the environment *due to* the unusual circumstances. As documented below, there are no unusual circumstances that would preclude a categorical exemption for the proposed project.

**Aesthetics:**

The proposed project does not include construction of any new above-ground structures, and no vegetation would be removed. The proposed project consists of a pavement overlay and would not change the visual character of the area. Temporary visual impacts during construction due to equipment staging and other activities would cease upon the completion of the project; no permanent impacts would occur. There are no unusual circumstances associated with aesthetics that would preclude a categorical exemption for the proposed project.

**Agriculture and Forest Resources:**

Improvements would occur within the public road ROW. Although forest resources are located on either side of the road corridor, the proposed project would not result in the removal of trees. Additionally, there are no properties in agricultural use in the project area. Therefore, project implementation would not result in the loss of agricultural lands or forest resources.

### **Air Quality/Greenhouse Gas (GHG) Emissions:**

The proposed project would result in the temporary generation of ROG, NO<sub>x</sub>, PM<sub>10</sub>, and other regulated pollutants during construction. These pollutants would be generated by employee vehicle trips, delivery of materials, and construction equipment exhaust, as well as from the hot mix asphalt. The project does not include any components that would result in a long-term increase in emissions. There are no unusual circumstances associated with air quality or GHG emissions that would preclude a categorical exemption for the proposed project.

### **Biological Resources:**

Based on the information presented below, there are no unusual circumstances associated with biological resources that would preclude a categorical exemption for the proposed project.

#### ***Special-Status Plant Species:***

Review of the U.S. Fish and Wildlife Service species list for the project area did not identify any federally listed plant species as potentially occurring in the project vicinity; however, one candidate species, whitebark pine, was identified as potentially occurring in the vicinity. The project area does not contain designated critical habitat for federally listed plant species.

A review of California Natural Diversity Data Base (CNDDDB) records showed that 14 special-status plants have been reported within an approximate five-mile radius of the project site: Aleppo avens, Gasquet rose, marsh skullcap, Oregon fireweed, pallid bird's-beak, rosy orthocarpus, Shasta chaenactis, Siskiyou clover, snow fleabane daisy, subalpine aster, woodnymph, woolly balsamroot, northern adder's-tongue, and broad-nerved hump moss. One of these plants, pallid bird's-beak, is known to occur in disturbed road shoulders in the general project vicinity, and has a moderate potential to be present.

A botanical survey was completed by an ENPLAN biologist on January 28, 2022. Although pallid bird's-beak would have been identifiable (at least to genus) at the time the fieldwork was conducted, the species was not observed. Most of the remaining species would not have been identifiable at the time of the field evaluation, but determination of their potential presence could readily be made based on observed habitat characteristics. No special-status plant species were observed during the botanical field survey, nor are any expected to be present.

#### ***Special-Status Wildlife Species***

Review of the USFWS species list for the project area identified the following federally listed animal species as potentially being affected by the proposed project: northern spotted owl, yellow-billed cuckoo, California red-legged frog, Oregon spotted frog, Delta smelt, longfin smelt, monarch butterfly, conservancy fairy shrimp, vernal pool fairy shrimp, and vernal pool tadpole shrimp. The USFWS species list does not identify designated critical habitat in the study areas for any federally listed animal species.

CNDDDB records showed that ten special-status wildlife species have been reported within an approximately five-mile radius of the project site: Cascades frog, foothill yellow-legged frog, bald eagle, bank swallow, northern goshawk, western yellow-billed cuckoo, yellow rail, Franklin's bumble bee, fisher, Sierra Nevada red fox, spotted bat, and western mastiff bat.

The potential presence/absence of special-status animal species was evaluated on the basis of habitat characteristics observed during the January 28 site visit. Although some of the special-status animal species could potentially migrate through or forage in the project area, none are expected to rely on the project site for essential life-cycle activities.

#### ***Nesting Migratory Birds***

The USFWS identified the following Birds of Conservation Concern as potentially being affected by the proposed project: bald eagle, Cassin's finch, Clark's grebe, evening grosbeak, golden eagle, olive-sided flycatcher, rufous hummingbird, and wren-tit.

Construction activities are not expected to directly affect nesting migratory birds because all work would be completed in surfaced roadways and no vegetation would be removed. Indirect effects such

as nest abandonment by adults in response to loud noise levels, are likewise not expected given the existing character of the work area. Any birds that may nest adjacent to the road corridor would be accustomed to periodic loud noises and other human-induced disturbances.

### **Energy**

The proposed project does not include any components that would result in environmental impacts due to the wasteful, inefficient, or unnecessary consumption of energy resources. There are no unique circumstances related to energy use that would preclude a categorical exemption for the proposed project.

### **Geology and Soils:**

According to the Alquist-Priolo Earthquake Fault Zone Map, the nearest Alquist-Priolo Special Study Zone is the Cedar Mountain Fault Zone, approximately 24 miles to the east. The California Geological Survey identifies two potentially active unnamed faults northeast of the project area. One is a north-south trending fault running through the top of Mount Shasta; the other is an east-west trending fault that runs from the top of Mount Shasta to a point north of Black Butte. However, this is not unique to the project site.

Soils on the project sites are mapped by the USDA Natural Resources Conservation Service (NRCS) as Deetz gravelly loamy sand, 0 to 5 percent slopes; Deetz gravelly loamy sand, 5 to 15 percent slopes; and Neer-Ponto stony sandy loams, 15 to 50 percent slopes complex. These soil types are found throughout the Mt. Shasta area and are not unique to the project site. There are no unique circumstances related to geology or soils that would preclude a categorical exemption for the proposed project.

### **Hydrology and Water Quality**

Construction activities could result in the temporary disturbance of the road shoulders, which could generate accelerated runoff, localized erosion, and sedimentation during storm events. However, this is a temporary impact during construction, and no long-term impacts would occur. In addition, standard construction practices for spill prevention and erosion/sediment control would be implemented to prevent indirect impacts to streams, watercourses, and aquatic habitats. There is nothing unique about this project that would result in significant impacts to water quality, and no alteration of drainage patterns is proposed. In addition, according to the Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map (Panel 06093C3025D), effective January 19, 2011, the proposed improvements are not located within a special flood hazard area. There are no unique circumstances related to hydrology or water quality that would preclude a categorical exemption for the proposed project.

### **Land Use and Planning:**

The proposed project would not conflict with the City's General Plan, applicable Municipal Code regulations, or the City's standard construction measures and does not include any components that would physically divide an established community.

### **Mineral Resources:**

The California Geological Survey (CGS) identified two active mines near the project site. The Spring Hill Mine is located within the City limits east of Interstate 5 at the north end of the City, approximately one mile north of the proposed improvements on North Mt. Shasta Boulevard. In addition, the Mt. Shasta Pit is located outside the city limits on the west side of Interstate 5, ±0.42 miles northwest of the project site. Due to the distance from the project site, the project would have no impact on existing mining operations. According to the CGS, a SMARA mineral land classification study has not been conducted for Siskiyou County.

The City's Zoning Code allows mineral resource extraction and production as a conditional use in the Resource Lands (R-L) zone district. According to the City's Zoning Map, there are presently no lands in the City limits that are zoned R-L.

### **Noise:**

Construction activities would generate noise and would temporarily increase noise levels in the area. However, there is nothing unique to the project that would result in more significant impacts than other

construction projects in the area. The project does not include any components that would result in a permanent increase in noise levels.

**Population and Housing:**

The purpose of the project is to repair a failing roadway and ensure that the roadway is safe and reliable for vehicle traffic. The project has no components that would directly or indirectly induce unplanned population growth in the area.

**Public Services, Recreation, and Utilities:**

Because the project would not induce population growth in the area, the project would not generate a demand for additional fire protection, police protection, schools, parks, recreational facilities, or other public services. Further, there would be no increased demand for utility services.

**Transportation/Traffic:**

Because the project would not induce population growth, the project would not directly or indirectly result in a permanent increase in traffic. There would be a short-term increase in traffic in the area associated with construction workers and equipment; however, this is a temporary impact and would cease upon completion of the improvements.

**Wildfire:**

The project does not include any development or improvements that would increase the long-term risk of wildland fires or expose people or structures to wildland fires. There are no unique circumstances associated with the project that would result in more significant impacts than other similar projects.

**4. Scenic Highways.** *A categorical exemption shall not be used for a project which may result in damage to scenic resources, including but not limited to, trees, historic buildings, rock outcroppings, or similar resources, within a highway officially designated as a State Scenic Highway.*

According to the California Scenic Highway Mapping System, there are no officially designated State Scenic Highways in the project area; therefore, there would be no impact.

**5. Hazardous Waste Sites.** *A categorical exemption shall not be used for a project located on a site which is included on any list compiled pursuant to §65962.5 of the Government Code.*

The following databases were reviewed to locate "Cortese List" sites.

- List of Hazardous Waste and Substances sites from the Department of Toxic Substances Control (DTSC) EnviroStor database.
- SWRCB GeoTracker Database.
- List of solid waste disposal sites identified by SWRCB with waste constituents above hazardous waste levels outside the waste management unit.
- List of active Cease and Desist Orders and Clean-Up and Abatement Orders from the SWRCB.

Review of these records shows that the nearest open (inactive) clean-up site is about 0.75 miles southeast of the project site on North Mt. Shasta Boulevard. Due to this distance, the project would not affect or be affected by the clean-up site. Additionally, no clean-up sites are known to occur in or adjacent to the project footprint.

**6. Historical Resources.** *A categorical exemption shall not be used for a project which may cause a substantial adverse change in the significance of a historical resource.*

As discussed above, the purpose of this project is to repair a failing roadway and ensure that the roadway is safe and reliable for vehicle traffic. Proposed improvements are limited to a pavement overlay and pavement striping; these improvements would not require excavation. Additionally, the project area has been subject to prior disturbance from grading activity associated with installation of roads, utility lines, and

structures. Therefore, based on the lack of significant excavation and level of contemporary disturbance, the potential to encounter buried historic and prehistoric resources is very low.

However, there is always some potential for previously unknown cultural resources to be encountered during construction activities. Therefore, the following standard construction measures will be included in bid/contract documents to address the inadvertent discovery of cultural resources and human remains.

1. In the event of any inadvertent discovery of cultural resources (i.e., burnt animal bone, midden soils, projectile points or other humanly-modified lithics, historic artifacts, etc.), all work within 50 feet of the find shall be halted until a professional archaeologist can evaluate the significance of the find in accordance with PRC §21083.2(g) and §21084.1, and CEQA Guidelines §15064.5(a). If any find is determined to be significant by the archaeologist, City of Mt. Shasta staff shall meet with the archaeologist to determine the appropriate course of action. If necessary, a Treatment Plan prepared by an archeologist outlining recovery of the resource, analysis, and reporting of the find shall be prepared. The Treatment Plan shall be reviewed and approved by the City prior to resuming construction.
2. In the event that human remains are encountered during construction activities, the City of Mt. Shasta shall comply with §15064.5 (e) (1) of the CEQA Guidelines and PRC §7050.5. All project-related ground disturbance within 100 feet of the find shall be halted until the County coroner has been notified. If the coroner determines that the remains are Native American, the coroner will notify the NAHC to identify the most likely descendants of the deceased Native Americans. Project-related ground disturbance in the vicinity of the find shall not resume until the process detailed in §15064.5 (e) has been completed.
3. In the event that project plans change to include areas not surveyed, additional archaeological reconnaissance may be required. If cultural resources are encountered, the archaeologist shall recommend/implement additional measures as necessary, which may include subsequent monitoring by an archaeologist or Native American representative.

#### DOCUMENTATION:

**California Air Resources Control Board.** 2020. Area Designations Maps—State and National. <http://www.arb.ca.gov/desig/adm/adm.htm>. Accessed January 2022.

**California Department of Conservation, California Geological Survey.** Mineral Land Classification Maps. <http://maps.conservation.ca.gov/cgs/informationwarehouse/index.html?map=mlc>. Accessed January 2022.

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\_\_\_\_\_. 2019. California Important Farmland Finder Map. <https://maps.conservation.ca.gov/dlrp/ciff/>. Accessed January 2022.

\_\_\_\_\_. 1997. Special Publication 42, Fault-Rupture Hazard Zones in California. <http://www.lib.berkeley.edu/EART/UCONLY/CDMG/north/sp42.pdf>. Accessed January 2022.

\_\_\_\_\_. Earthquake Zones of Required Investigation. <https://maps.conservation.ca.gov/cgs/EQZApp/app/>. Accessed January 2022.

**California Department of Transportation.** 2022. California State Scenic Highway Mapping System. Siskiyou County. [http://www.dot.ca.gov/hq/LandArch/16\\_livability/scenic\\_highways/index.htm](http://www.dot.ca.gov/hq/LandArch/16_livability/scenic_highways/index.htm). Accessed January 2022.

**California Environmental Protection Agency.** 2022. Cortese List Data Resources. <http://www.calepa.ca.gov/sitecleanup/corteselists/>. Accessed January 2022.

**California Natural Diversity Database.** <https://wildlife.ca.gov/Data/CNDDDB/Maps-and-Data>. Accessed January 2022.

**City of Mt. Shasta.** 2007. City of Mt. Shasta General Plan. <https://mtshastaca.gov/planning/>. Accessed January 2022.

\_\_\_\_\_. 2020. Mt. Shasta Municipal Code. <https://www.codepublishing.com/CA/MtShasta/>. Accessed January 2022.

**Federal Emergency Management Agency.** National Flood Hazard Map (Panel 06093C3025D), effective January 19, 2021. <https://hazards-fema.maps.arcgis.com/apps/webappviewer/index.html?id=8b0adb51996444d4879338b5529aa9cd>. Accessed January 2022.

**U.S. Department of Agriculture, Natural Resource Conservation Service.** 2021. Web Soil Survey. <http://websoilsurvey.nrcs.usda.gov/app/WebSoilSurvey.aspx>. Accessed January 2022.

**U.S. Fish and Wildlife Service.** List of Threatened and Endangered Species. January 2022.