



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

Project Information

Project Name (if applicable): Director's Order Hazardous Tree Trimming & Removal

DIST-CO-RTE: 10-CAL,MPA-4,140 **PM/PM:** VAR

EA: 10-1P680 **Federal-Aid Project Number:** N/A

Project Description

The California Department of Transportation (Caltrans) proposes an emergency Director's Order project to trim and remove hazardous trees at two locations: along State Route (SR) 4, between post miles (PM) 36.0 and 50.0, in Calaveras County; and along SR-140, between PMs 15.0 and 22.0, in Mariposa County. Many trees and limbs have become a hazard to the roadway, due to recent snow, storm, and wind events. The scope of work includes traffic control, tree trimming, felling of uprooted and/or hazardous trees, minor slope and ditch stabilization, and the removal of debris, limbs, and stumps where necessary. All work will occur within Caltrans Right of Way. The purpose of this project is to trim and remove trees that are an immediate threat to the roadway. The project is needed to ensure the functionality of these highways and safety of the traveling public.

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** Enter class. (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

for: <u>Dominic Vitali</u>	<u><i>Elizabeth Hummel</i></u>	<u>03/10/2022</u>
Print Name	Signature	Date

Project Manager

<u>Tanya Sanguinetti</u>	<u></u>	<u>3/10/2022</u>
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)(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
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Project Manager/ DLA Engineer

Print Name	Signature	Date
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Date of Categorical Exclusion Checklist completion (if applicable): N/A

Date of Environmental Commitment Record or equivalent: N/A

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 the Environmental Office if project changes occur or sensitive resources discovered.

Cultural:

- If cultural materials are discovered at the job site, do not disturb the resources and immediately:
 1. Stop all work within a 60foot radius of discovery
 2. Protect the discovery area
 3. Notify the Engineer
 4. The Department Investigates. Do not move cultural materials or take them from the job site. Retain a qualified archaeologist 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 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) who will then notify the Most Likely Descendent (MLD). At the same 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.

Biology

- If construction occurs during migratory bird nesting season (February 1 – September 30), a preconstruction bird survey will be completed by a Caltrans qualified biologist within 14 days prior to the start of any construction related activities. Contact the Environmental office 30 days prior to the start of construction to schedule the survey. If an active nest is discovered, a 100-foot protective buffer will be established around it. If an active hawk nest is discovered, a 300-foot protective buffer will be required. No construction related activities will occur within the protective buffer limits until the young have fledged. If work does not commence within 14 days of the preconstruction bird survey clearance, or if work halts for more than 14 days, a subsequent bird survey will be required prior to the commencement, or recommencement, of any construction related activities.