



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

Project Information

Project Name (if applicable): Fuel Reduction

DIST-CO-RTE: 03-NEV-49

PM/PM: 2.19/28.5

EA: N/A

Federal-Aid Project Number: N/A

Project Description

The California Department of Transportation proposes to reduce fuels within state right-of-way along State Route 49 in Nevada County. This project is intended to manage and eliminate vegetation and fuels along Caltrans systems in an effort to reduce the probability and impact of fire events.

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 3.** (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

| | | |
|------------|----------------------|----------|
| Ken Russo | <i>Kenneth Russo</i> | 7/6/2022 |
| Print Name | Signature | Date |

Project Manager

| | | |
|----------------|-----------------------|----------|
| Darrell Taylor | <i>Darrell Taylor</i> | 7/6/2022 |
| Print Name | Signature | Date |



CEQA EXEMPTION / NEPA CATEGORICAL EXCLUSION DETERMINATION FORM

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

N/A Print Name, N/A Signature, N/A Date

Project Manager/ DLA Engineer

N/A Print Name, N/A Signature, N/A Date

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).



CEQA EXEMPTION / NEPA CATEGORICAL EXCLUSION DETERMINATION FORM

Continuation sheet:

The proposed vegetation management scope of work includes the following.

- Removal of ladder fuels to reduce the risk of crown fires including trimming and removal of grass and brush. Brush is defined as consisting of grass; trees less than four inches (4") in diameter at breast height and less than 20' in height; slash; and tree limb removal located up to 8' in height. Slash herein is defined as fallen limbs, leaves and other dead vegetation.
- Vegetation trimming and removal in areas adjacent to roads to provide safer ingress and egress for evacuating residents and responding emergency personnel.
- Removal of dead and dying brush that pose a threat to public health and safety of users on the state highway system.
- Removal of invasive brush species.
- Removal of vegetation located adjacent to critical infrastructure.
- Removal of dead or dying trees and selective live tree thinning to improve forest health to withstand wildfire.
- Staging, processing, and chipping of cut material. Wood chips shall either be spread on site or transported and delivered to an end use facility.
- Vegetation removal via chemical treatment shall be restricted to the Caltrans approved list of herbicides and adjuvants.
- No ground disturbance is proposed that requires excavation. However, ground disturbance would occur as a result of vegetation removal. Tree dragging, although not proposed, would result in upwards of two feet of ground disturbance. Less than a foot of ground disturbance is anticipated for clearing of undergrowth/brush. A majority of the work would result in the latter depth of ground disturbance, generally less than one foot.

The environmental Sensitive Areas (ESAs) and Archaeological Monitoring Areas (AMA) Action Plan has been developed to describe the procedures to protect all identified cultural resources within the nine locations of the project area limits (PAL). During construction, the ESAs will be designated with flagging tape, fencing, or other delineators as appropriate and will be avoided in their entirety. All ESAs that can be identified prior to the Plans, Specifications, and Estimates (PS&E) milestone, will be illustrated on the project plans and/or within the project specifications. Due to restricted access and visibility, the pedestrian surveys to identify any additional ESAs will occur concurrently with project construction. A contingency will therefore be placed in the PS&E package to allow for the protection of any additional ESAs that are identified during the surveys after PS&E and before construction begins. All ESAs will be afforded a 100-foot buffer beyond the known site boundary. No work will occur in the 100-foot buffer.

If project activities occur adjacent to a resource, then other measures will be used to protect the resource from adverse effects. The entire PAL has also been designed AMAs due to the need for minor phasing due to access and visibility issues. All AMAs



CEQA EXEMPTION / NEPA CATEGORICAL EXCLUSION DETERMINATION FORM

are identified prior to the Plans, Specifications, and Estimates (PS&E) milestone, and will be illustrated on the project plans and/or within the project specifications.

In addition to the establishment of an ESA, the project area will be designated an AMA and subject to archaeological and tribal monitoring during all work during construction activities. As described in the Phased Identification Plan within the Finding of Effect (FOE) for this project, limited access precluded completion of studies within high sensitivity and low visibility areas. Caltrans requested Minor Phasing pursuant to Stipulation XI.B of the PRC 5024 memo of understanding which the Caltrans Cultural Studies Office approved on September 2, 2021. These areas will be monitored during fuels reduction activities for any potential unidentified cultural resources. Should a cultural resource be identified within the AMA for the project, the archaeological monitor shall have the authority to temporarily stop work to assess the nature of a cultural find and treat it as a historical resource. Any newly identified resources identified during monitoring will then be established and enforced as an ESA during construction work for this project.

If work occurs February 15th through September 1st, bird nesting surveys are required. Avoid entering or working within 50 feet of creek and riparian zone.