



**CEQA EXEMPTION / NEPA CATEGORICAL EXCLUSION
DETERMINATION FORM (rev. 04/2022)**

<u>Project Information</u>	
Project Name (if applicable): LA 710 Broadband Middle Mile Network	
DIST-CO-RTE: 07-LA-710	PM/PM: 6.9/26.5
EA: 38320	Federal-Aid Project Number:
<u>Project Description</u>	
<p>This project will install broadband conduit and fiber as part of the Broadband Middle-Mile Network identified in the Interagency Agreement between Caltrans and the Department of Technology. Installation of broadband conduit and fiber will include trenching, trenchless technologies when applicable, and installation on structures using approved Caltrans Structures design. This project is exempted, by statute, from CEQA due to Section 21080.51 of the California Public Resources Code. Project includes a hub and conduit markers that are covered by a Common Sense exemption. All work will be performed within Caltrans Right of Way. The project is located on LA-710 from SR-1 (PM 6.9) to I-10 (PM 26.5) in Los Angeles County.</p>	

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

Jason Roach		6/14/22
Print Name	Signature	Date

Project Manager

Akm Tareque	<i>A.K.M. Tareque</i>	06/14/2022
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, 2022, executed between FHWA and Caltrans. Caltrans has determined that the project is a Categorical Exclusion under:

- 23 CFR 771.117(c): activity (c)(2)
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

Jason Roach (Print Name), [Signature] (Signature), 6/14/22 (Date)

Project Manager/ DLA Engineer

AKM Tareque (Print Name), A.K.M. Tareque (Signature), 06/14/2022 (Date)

Date of Environmental Commitment Record or equivalent: Enter date

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:

Biological Resources:

Tree Protection

The cumulative loss of trees, if any, during a single nesting season would cause a reduction in the tree inventory and nesting habitat. Removal of dense vegetation could potentially impact monarch butterflies by reducing suitable roosting sites. Removal of trees are not authorized.

When working around trees, certain precautions must be taken to avoid impacting the integrity of trees in the construction areas. When broad band conduits are being constructed, areas within the canopy area of nearby trees should be avoided. If construction must take place within the canopy area, no more than 25% of the canopy may be trimmed. In addition, no more than 10% of the root systems of the tree may be impacted, otherwise it will compromise the tree and cause stress that can become a roadside hazard if the tree falls.

Bird Nesting

It is recommended that all vegetation removal occur outside of the bird nesting season. Bird nesting season is normally February 1st through September 1st. Should vegetation need to be removed during this period, the Resident Engineer (RE) shall coordinate with the District Biologist and notify them two weeks prior to construction to determine if birds are nesting within the project area.

There is potential for the presence of migratory birds within the BSA. If vegetation removal is conducted during bird nesting season (as mentioned above), the proposed project must comply with the Migratory Bird Treaty Act (16 U.S.C. 703-711) by implementing measures to avoid and minimize impacts to nesting birds by conducting bird nesting surveys prior to the start of work and enforcing appropriate buffers around any active nests.

Hazardous Waste:

Minimal Disturbance of Material Containing Hazardous Waste Concentration of Aerially Deposited Lead

The proposed 18.64 miles of installation by trenching and any placement of permanent or temporary stationary mounted construction area signposts (at unpaved areas) are considered minimal disturbance of soil with hazardous waste concentrations of ADL. Minimal soil disturbance work occurs when there is no ADL soil generated that requires removal from the project or displaced to areas other than the immediate area of disturbance. Soils displaced during trenching activities to install the broadband conduits must be returned to the immediate trenched area. According to Caltrans' ADL Guidance



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Document, the United States Environmental Protection Agency allows certain discrete areas of generally dispersed contamination to be considered as individual waste management unit. These discrete areas are defined as Areas of Contamination (AOCs). An AOC is equated to a single unit; therefore movement, consolidation, or in-situ treatment of hazardous waste within the AOC does not create a new point of hazardous waste generation. For an AOC, contamination must be contiguous but can have various concentrations. The Department of Toxic Substances Control allows Caltrans to apply AOC approach to projects that will only cause minimal disturbances of soil containing hazardous waste concentrations of aerially deposited lead. All soil disturbed must remain in the immediate area of disturbance and not be transported elsewhere. Health and safety precautions and dust control when disturbing the ADL soil must be implemented. It is important to notify the Contractor that lead is present and allow for preparation of a task-specific Lead Compliance Plan (LCP) and lead awareness training as required by Title 8, Section 1532.1 of the California Code of Regulations (8CCR) and Cal-OSHA Construction Safety Order. SSP 14-11.09 Minimal Disturbance of Regulated Material Containing Aerially Deposited Lead will need to be prepared for this project.

Material Containing Hazardous Waste Concentrations of Aerially Deposited Lead

It is expected that the approximately 2,041 feet or 0.39 miles of proposed boring for the broadband installation using trenchless technologies will generate approximately 8 cubic yards of excess soil potentially contaminated with ADL.

OEE recommends a file review along with a project-specific site investigation (SI) to evaluate and determine the extent of the ADL and other contamination at the proposed work areas along the 20 mile stretch of SR-710. The site investigation and any available file data will assist the Contractor in developing a task-specific Lead Compliance Plan and Excavation Transportation Plan for special handling and management of ADL impacted soil as stipulated in the standard special provisions (SSPs), Standard Specifications, 8CCR, Section 1532.1, "Lead", Cal-OSHA Construction Safety Order. SSP 14-11.08 Regulated Material Containing Aerially Deposited Lead may need to be prepared for this Project.

For estimating this portion of the Project's cost, since an ADL investigation has not been performed at all locations along the project area, it is recommended that all excess soil generated from the installation of the broadband conduits by boring work be classified as Roadway/Structural Excavation (Type Z-2) Material. This material is required to be properly managed and transported as a California Hazardous Waste (non-RCRA) and disposed at a permitted California Class I Disposal Facility.

Asbestos Containing Material (ACM) and Lead Base Paint (LBP)

From the PSR-PR it is unclear how the approximately 8,101 feet or 1.53 miles of broadband will be installed on existing structures. The attached *List of Works (LA 710-EA383200) (PM 6.9 to PM 26.5)* identified over 42 bridges where the broadband will be installed. The PSR-PR stated that broadband conduits may be installed in conjunction with Caltrans conduits on structures using the appropriate approved Caltrans Structures design; however, this scope of work for the Project has not been finalized or detailed.



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Although the installation of the broadband conduits on the bridge structures appears not to be intrusive, it is necessary to determine if the any asbestos containing material (ACM) or lead base paint (LBP) will be disturbed during the installations. Asbestos Containing Material (ACM) and Lead Base Paint (LBP) surveys at the proposed bridge locations may be required for the bridges without historical ACM/LBP data. Also, a Health and Safety Plan will be required to protect workers from potential exposure to asbestos and lead-based paint during the work activities. The Health and Safety Plan shall contain requirements of Cal/OSHA regulations 8 CCR § 1532.1. SSP 14-11.13-Disturbance of Existing Paint Systems on Bridges and SSP 14-11.16-Asbestos-Containing Construction Materials in Bridges may need to be prepared for this Project.