

# Notice of Exemption

## Appendix E

**To:** Office of Planning and Research  
P.O. Box 3044, Room 113  
Sacramento, CA 95812-3044

County Clerk

County of: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

**From:** (Public Agency): \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

(Address)

Project Title: \_\_\_\_\_

Project Applicant: \_\_\_\_\_

Project Location - Specific:

Project Location - City: \_\_\_\_\_ Project Location - County: \_\_\_\_\_

Description of Nature, Purpose and Beneficiaries of Project:

Name of Public Agency Approving Project: \_\_\_\_\_

Name of Person or Agency Carrying Out Project: \_\_\_\_\_

Exempt Status: **(check one):**

- Ministerial (Sec. 21080(b)(1); 15268);
- Declared Emergency (Sec. 21080(b)(3); 15269(a));
- Emergency Project (Sec. 21080(b)(4); 15269(b)(c));
- Categorical Exemption. State type and section number: \_\_\_\_\_
- Statutory Exemptions. State code number: \_\_\_\_\_

Reasons why project is exempt:

Lead Agency

Contact Person: \_\_\_\_\_ Area Code/Telephone/Extension: \_\_\_\_\_

**If filed by applicant:**

1. Attach certified document of exemption finding.
2. Has a Notice of Exemption been filed by the public agency approving the project?    Yes    No

Signature: Laurel Osborn    Date: \_\_\_\_\_    Title: \_\_\_\_\_

Signed by Lead Agency    Signed by Applicant

Authority cited: Sections 21083 and 21110, Public Resources Code.  
Reference: Sections 21108, 21152, and 21152.1, Public Resources Code.

Date Received for filing at OPR: \_\_\_\_\_



**CEQA EXEMPTION / NEPA CATEGORICAL EXCLUSION  
DETERMINATION FORM (rev. 06/2022)**

**Project Information**

**Project Name (if applicable):** Blue Lake Landslide Permanent Restoration

**DIST-CO-RTE:** 01-HUM-299

**PM/PM:** R8.0/R9.2

**EA:** 01-0J801

**Project Description**

The CA Department of Transportation (Caltrans) is proposing this Permanent Restoration project located in Humboldt County on State Route (SR) 299. The purpose of this project is to restore the roadway to pre-storm damage conditions, reduce the risk of future damage, and improve resilience of the highway facility. This location has a history of recurring slope failures and associated damage, and future storm events are likely to contribute to the risk of roadway loss. The project scope proposes to stabilize the failed roadway segment by shifting the roadway centerline up-slope from its current position, constructing Soldier Pile Ground Anchor (SPGA) walls on the down-slope side and Soil Nail (SN) walls on the up-slope side.

**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 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**

Dominic Vitali

6/19/2023

Print Name

Signature

Date

**Project Manager**

David Melendrez

6/19/2023

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)
23 CFR 771.117(d): activity (d)(Enter activity number)
Activity 4 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 May 27, 2022, and executed by FHWA and Caltrans.

Senior Environmental Planner or Environmental Branch Chief

Dominic Vitali
Print Name
Signature
Date 6/19/2023

Project Manager/ DLA Engineer

David Melendrez
Print Name
Signature
Date 6/10/2023

Date of Environmental Commitment Record or equivalent: 6/19/23

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:

Approximately 5,500 feet of the roadway will be reconstructed up-slope from its current position to where the failure plane is typically 50 feet deep or less. The new roadway will have two 12-foot lanes, 10-foot shoulders adjacent to the soldier pile ground anchor (SPGA) and soul nail (SN) walls, and 8-foot shoulders elsewhere.

The proposed scope of work includes: Construct two SPGA walls with cable railing on the down-slope side of the roadway-the walls will be 650-foot long, 50-foot height and 300-foot long, 20-foot height; Construct five SN walls (1H:6V) with Type 60 MD concrete barrier adjacent to the EP on the up-slope side of the roadway-the SN walls will be 500-foot long, 27-foot max height, 430-foot long, 25-foot max height, 190-foot long, 18-foot max height, 1000-foot long, 15-foot max height, 450-foot long, 29-foot max height; Construct a 600-foot-long rock slope protection (RSP) buttress (1H:1V) on the up-side slope of the roadway; Grade cut slope (2H:1V) on the up-side slope of the roadway approximately 460 feet long; Construct ditch along the westbound lane to collect water flow from up-slope side and surface flow to drainage inlets; Install MGS and in-line end treatment with steel posts adjacent to the SPGA walls and at SN wall approaches and departures; Install 400 feet long horizontal drains on the up-slope side to discharge ground water; Nine existing drainages will be removed and replaced; Relocate existing signing, markers and remove existing guardrail; Obliterate existing roadway pavement; Remove existing horizontal drains and existing SN wall on the down-slope side.

**PERMITS:** The following permits will be required: Section 404 from the United States Army Corps of Engineers (USACE), Section 401 Certification from the North Coast Regional Water Quality Control Board (NCRWQCB), and a 1600 Lake and Streambed Alteration Agreement (LSAA) from the CA Department of Fish and Wildlife (CDFW). The Programmatic Letter of Concurrence (PLOC) will be used for Section 7 consultation with USFWS to address potential impacts to northern spotted owl.

Air, noise, water quality, hazardous waste, visual, biological, and cultural studies have been completed.

The following measures will be included as part of the project:

- A contractor-supplied biologist will be required to complete required pre-construction surveys and biological monitoring during construction. The biologist would also 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 to ensure adherence to permit conditions.
- No construction activities generating noise levels above 90 decibels (dB) or 20 dB above ambient (excluding backup alarms) would occur between February 1 and July 31 to avoid potential impacts to northern spotted owl (NSO). Noise restrictions will be lifted between August 1 and January 31.
- 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



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located, the biologist would coordinate with CDFW to establish appropriate species-specific buffer(s) and any monitoring requirements.

- 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.
- 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.
- 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.
- Prior to any creek diversion, the contractor would be required to prepare and submit a Temporary Creek Diversion System Plan to Caltrans for approval. Depending on site conditions, the plan may also require specifications for the relocation of sensitive aquatic species. Water generated from the diversion operations would be pumped and discharged according to the approved plan and applicable permits.
- 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. Construction activities restricted to this period include any work below the ordinary high water.
- A Revegetation Plan would be prepared which 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.
- Include Nssp 7-1.02K(6)(j)(iii) UNREGULATED EARTH MATERIALS CONTAINING LEAD.
- An SSP will be required for thermoplastic stripe grinding or removal if this construction method is utilized. These issues can be addressed with SSP 36-4 CONTAINING LEAD FROM PAINT AND THERMOPLASTIC.
- A Lead Compliance Plan as a contract item will be required for soil disturbance/removal and thermoplastic stripe grinding and removal.
- Treated Wood Waste (TWW) will be generated from guardrail and sign post removal. This can be addressed with SSP 14-11.14 TREATED WOOD WASTE management in the construction contract and a TWW disposal item.
- The project is required to provide stormwater treatment to offset the increase in new impervious surface from roadway widening. Treatment methods may include directing stormwater runoff from pavement areas to pervious surfaces (e.g. biostrips, bioswales), infiltration trenches, or infiltration basins.