



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

Project Information

Project Name (if applicable): 23/24 Kern Digouts

DIST-CO-RTE: KER -58-PM R39.00-R97.0, KER-58-PM-R139.8

EA: 09-39800 **Federal-Aid Project Number:** N/A

Project Description

The purpose of this project is to provide relief of maintenance and extend the service life of the pavement by repairing localized failed areas. The pavement within the project limits is suffering distress in spot locations. This project will address the most severe locations and provide a serviceable condition located at KER -58-PM R39.00-R97.0, KER-58-PM-R139.8 (See continuation page 3).

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(c)**(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

Cecilia Boudreau

Cecilia Boudreau

12/20/2023

Print Name

Signature

Date

Project Manager

Mathew Goike

Print Name

Signature

Date



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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, 2022, 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 May 27, 2022, and executed by FHWA and Caltrans.

Senior Environmental Planner or Environmental Branch Chief

N/A

Print Name

Signature

Date

Project Manager/ DLA Engineer

N/A

Print Name

Signature

Date

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

Date of Environmental Commitment Record or equivalent: 10/31/2023



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Continuation sheet:

The work includes digouts; grinding out areas of failed pavement (3"-4" in depth), replacing with HMA (Type A), and restriping the pavement. Placement of temporary traffic control signs will be required. Construction activities will be confined to the existing ROW and no new ROW will be acquired.

The work limits include the construction signs in addition to the construction area. Construction limits include the area of the digout construction and work limits define the limits of temporary traffic control needs.

Work Limits: KER-58-PM R92.0/R98.0
Construction Limits: KER-58-PM R93.0/R97.0

Work Limits: KER-58-PM R139.8
Construction Limits: KER-58-PM R138.8/R140.8

All work will be performed within the existing pavement with the exception of sign placement and contractor staging along existing shoulder backed areas and proposed staging areas as identified below. No vegetation or dirt will be disturbed outside the existing pavement and staging areas. Temporary impacts will occur within the 5' existing shoulder backed area for placement of construction areas signs and contractor staging. All work will be performed within the Right of Way. This project does not propose any Temporary Construction Easements.

Proposed Staging Areas

County-Route Post Mile Side of Highway Description of Area
Kern-58 R93.0/R97.0 CENTER MEDIAN Dirt Area, Center of Highway
Kern-58 R139.8 EB/WB Dirt Area at Overpass

BIOLOGY – Environmental Commitments

- Notify the Biologist at least 2 weeks prior to construction start.
- If additional staging or contractor use areas are required or identified, they must be approved by the Biologist prior to their use.
- Pre-construction nesting bird surveys will be conducted by a staff Biologist between February 1st and September 30th within the 72 hours prior to the start of construction.
 - Survey 250 feet from the PIA for songbirds, including ground-nesting birds, and 500 feet from the PIA for nesting raptors, and 1/2 mile for Swainson's hawk (SWHA).



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- If nesting birds are found within 250 feet (songbirds) or 500 feet (raptors, special status species) of the PIA, biological monitoring may be required to ensure construction activities are not affecting nesting birds. A no work buffer may be implemented if the monitor determines that project activities are impacting nesting behaviors.
- Pre-construction rare plant surveys will be conducted by a staff Biologist during peak blooming period(s) (March-June), prior to the start of construction.
 - If any rare plants are observed within 10 feet of the PIA, they will be flagged for avoidance and the Biologist will consult with appropriate for additional avoidance and minimization measures (AMMs).