



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

**Project Information**

**Project Name (if applicable):** Culvert Replacement

**DIST-CO-RTE:** 10-MER-152

**PM/PM:** Various

**EA:** 10-1L540

**Federal-Aid Project Number:** N/A

**Project Description**

The California Department of Transportation (Caltrans) proposes culvert replacement at three (3) locations on State Route 152 at various postmiles in Merced County. General scope of work is listed in the Continuation Sheet. All work will occur within existing Caltrans Right of Way. The purpose of the project is to address the deteriorated drainage system and to extend the service life of State Route 152. The project is needed to prevent potential failure of the overlying highway due to the culvert deterioration.

**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**

Elizabeth Hummel		01/11/2024
Print Name	Signature	Date

**Project Manager**

Jason Miller		1/11/2024
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

Print Name Signature Date

Project Manager/ DLA Engineer

Print Name Signature Date

Date of Categorical Exclusion Checklist completion (if applicable): N/A
Date of Environmental Commitment Record or equivalent: 1/10/2024

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:**

Construction activities include removing existing culverts, trenching/excavation, backfill, and pavement striping. The scope of work at each location will include the following:

- Location 1 (MER-152-15.53) — The existing Flared End Section (FES) at Inlet and outlet will be replaced with new FES and the existing 24" Corrugated Steel Pipe (CSP) that transitions to 18" reinforced concrete pipe (RCP) will be replaced with a 24" CSP.
- Location 2 (MER-152-16.68) — The existing FES at inlet and outlet will be replaced with a new FES and the existing 12" x 21.6" span elliptical CSP will be replaced with a new 12" x 21.6" span elliptical CSP.
- Location 3 (MER-152-28.94) — The existing FES at inlet and outlet will be replaced with new FES and the existing 24" CSP will be replaced with a new 24" RCP.

### **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 60-foot radius of discovery
  2. Protect the discovery area
  3. Notify the Engineer
  4. The Department Investigates.
    - a. 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.

### **Hazardous Waste:**

- The Caltrans Standard Special Provision 7-1.02K(6)(j)(iii), which pertains to Earth Material Containing Lead, shall be added to the construction contract. A Lead



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Compliance Plan prepared by a Certified Industrial Hygienist (CIH) is required and all soil must remain on-site.

### **Biology:**

The following avoidance and minimization measure will be implemented.

- Due to potential San Joaquin Kit Fox (SJKF) migration in the area, Special Standard Specification 10-1.03 will be included in the contract and implemented so that all work will be restricted to daylight hours. No construction activity is allowed from post mile 15.00 to post mile 28.94 from sunset to sunrise.
- Special Standard Specification 14-6.03A shall be included in the contract and implemented within the entire project limits as protection measures for SJKF:
  1. If an active SJKF den is discovered during construction, stop all work within a 50-foot radius of the discovery except for the following: 50-foot protective radius for potential den, 50-foot protective radius for atypical den, 100-foot protective radius for known den, 200-foot protective radius for nata/pupping den. Contact the Caltrans District 10 Environmental Office immediately and do not re-commence construction activities until authorized.
  2. All construction personnel that will be at the project site must participate in a pre-construction worker environmental awareness program prior to the onset of construction activities. A qualified Caltrans biologist will inform all construction personnel about the life history of the SJKF, how to identify the species and habitat, what to do if the species is encountered during construction activities and explain the State and Federal laws pertaining to the protection of SJKF.
  3. To prevent inadvertent entrapment of SJKF or other animals during the construction, all excavated, steep-walled holes or trenches more than 2-feet deep should be covered at the close of each working day by plywood or similar materials. If the trenches cannot be closed, one or more escape ramps constructed of earthen-fill or wooden planks shall be installed. Before such holes or trenches are filled, they should be thoroughly inspected for trapped animals. If at any time a trapped or injured SJKF is discovered, stop all work immediately and contact the Caltrans D10 Environmental Office for further instruction. No work shall continue until authorized by the Caltrans D10 Environmental Office or until the animal leaves the project limits on its own.
  4. All construction pipes, culverts, or similar structures with a diameter of 4-inches or greater that are stored at a construction site for one or more overnight periods should be thoroughly inspected for SJKF before the pipe is subsequently buried, capped, or otherwise used or moved in any way. If a SJKF is discovered inside a pipe, that section of pipe should not be moved until authorized by the Caltrans D10



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Environmental Office. Contact the Caltrans D10 Environmental Office immediately.

5. No firearms shall be allowed at the project site.
  6. No pets, such as dogs or cats, should be permitted on the project site.
  7. Use of rodenticides or herbicides is not allowed.
  8. Any contractor, employee, or agency personnel who inadvertently kills or injures a SJKF must immediately report the incident to the Caltrans D10 Environmental Office.
- If construction will occur during migratory bird season (February 1 – September 30th), a pre-construction bird survey will be required around the project area. If an active bird nest is observed, a 100' buffer will be established around the nest until the young have fledged. Caltrans Standard Special Provision (SSP) 14-6.03A will be added to the construction contract to request a 300' buffer be established around any active hawk nest that is observed. A 600' buffer would be established for Swainson's hawk. Contractors must submit a request to the Caltrans District 10 Environmental Office to have a qualified Caltrans biologist conduct a nesting bird survey within 14 days prior to the start of any construction related activities. Construction activities will not begin until authorized. If approved, construction related activities must commence within 14 days of a location's nesting bird survey completion. If the contractors fail to commence the construction related activities within 14 days, or if there is a halt to the activities with a delay of more than 14 days, another nesting bird survey must be performed by the Caltrans qualified biologist. Construction cannot recommence until authorized.

No Permits Required