



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

**Project Information**

**Project Name (if applicable):** Right of Way Fence Replacement

**DIST-CO-RTE:** 10-SJ-580

**PM/PM:** 4.0/6.5

**EA:** 10-1N030

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

**Project Description**

The California Department of Transportation (Caltrans) proposes to replace Right of Way fences along Westbound and Eastbound on State Route (SR) 580 at postmile 4.0 to 6.5 in San Joaquin County. The current fences are damaged and will be replaced with metal post barbed wire mesh fences. All work will be within Caltrans Right of Way. The purpose of the project is to address the deteriorated and nonfunctional right of way fencing. The project is needed to prevent unauthorized access to Caltrans Right of Way.

**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

*Elizabeth Hummel*

05/24/2024

Print Name

Signature

Date

**Project Manager**

Edujie I. Imoisili

*Edujie Imoisili*

05/24/2024

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)()
[ ] 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: 5/24/2024

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:

#### **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 are discovered.
- Contact the Environmental Office to attend the pre-construction meeting.

#### **Cultural:**

- If cultural materials are discovered at the job site, do not disturb the resources and immediately:
  1. Stop all work within a 60foot radius of discovery
  2. Protect the discovery area
  3. Notify the Engineer
  4. The Department Investigates. 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.

#### **Biology:**

- Caltrans Standard Special Provision (SSP) 14-10.01 shall be included in the contract. All food related trash items such as wrappers, cans, bottles, and food scraps will be disposed of in closed containers and removed daily from the construction site.
- Caltrans SSP 10-1.03 shall be included in the contract. All work will be restricted to daylight hours only. No work will occur between sunset and sunrise.
- Caltrans SSP 14-6.03A shall be included in the contract and implemented as follows for SJKF:



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### *Preconstruction*

1. A qualified Caltrans biologist must conduct pre-construction SJKF surveys within the project area to determine the presence of natal, atypical, known, or natal/pupping dens prior to operations and maintenance activities that involve ground disturbance. If work doesn't begin within 14 days of the cleared pre-construction surveys, follow-up surveys will need to be conducted prior to the start of construction related activities.
2. If a potential, atypical, known, or natal/pupping den is discovered during the pre-construction survey, a protective buffer radius will be established around the den. No construction related activities shall occur within the limits of the protective buffer until authorized by the Caltrans District 10 (D10) Environmental Office.
3. If a natal den is discovered between August 1 and November 30, a qualified Caltrans biologist shall immediately contact the United States Fish & Wildlife Service (USFWS) and no construction related activity shall occur within 1000-foot radius of the active natal/pupping den until authorized by USFWS and the Caltrans D10 Environmental Office. Under no circumstances should the den be disturbed or destroyed without prior authorization.
4. If a natal/pupping den is discovered between December 1 and May 31, a qualified Caltrans biologist shall immediately contact the USFWS and no construction related activity shall occur within 1500-foot (0.3 mile) radius of the active natal/pupping den until authorized by USFWS and the Caltrans D10 Environmental Office. Under no circumstances should the den be disturbed or destroyed without prior authorization.
5. All construction personnel that will be at the project site must participate in a pre-construction worker environmental awareness training 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.

### *Construction*

1. Project-related vehicles should observe a daytime speed limit of 20-mph throughout the site in all project areas, except on county roads and State and Federal highways. If night-time construction occurs, the night-time speed limit should be reduced to 10-mph. Off-road traffic outside of designated project areas should be prohibited.



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2. 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.
  3. 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 Environmental Office. Contact the Caltrans D10 Environmental Office immediately.
  4. No firearms shall be allowed at the project site.
  5. No pets, such as dogs or cats, should be permitted on the project site.
  6. Use of rodenticides or herbicides is not allowed.
  7. Any contractor, employee, or agency personnel who inadvertently kills or injures a SJKF must immediately report the incident to the Caltrans D10 Environmental Office.
- Caltrans SSP 14-6.03A for pre-construction bird survey shall be included in the construction contract:
    - If work will occur within the migratory bird nesting season (February 1 – September 30), a request must be submitted to the Caltrans District 10 Environmental Office to have a qualified biologist conduct a pre-construction bird survey within 14 days prior to the start of any construction related activities. If an active nest is observed, a protective buffer shall be established around the nest until the young have fledged. No construction related activities shall occur within the limits of the protective buffer until authorized by the Caltrans District 10 Environmental Office. Once authorized, if construction activities do not commence within 14 days after completion of the bird survey or if construction activities stop for more than 14 days, a subsequent bird survey may be required. Work



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shall not commence or recommence until authorized by the Caltrans District 10 Environmental Office.

### **Hazardous Waste:**

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

No Permits Required