



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

Project Information

Project Name (if applicable): STA 05 Fence Replacement

DIST-CO-RTE: 10-STA-5

PM/PM: 16.9/18.3

EA: 10-1S540

Federal-Aid Project Number: n/a

Project Description

The California Department of Transportation proposes to remove existing fence and replace it with new wire mesh fences with metal post in Stanislaus County on Interstate (I) 5 from 00.3 mile south of Hanson Road Undercrossing to Del Puerto Creek Road Undercrossing (PM 16.9-18.3). The fence is facing the end of its life span and showing signs of degradation and damage. All construction will take place within the existing State’s Right of Way (ROW). The purpose of this project is to re-establish access control and demarcation of Caltrans ROW. The need for this project is to prevent livestock and pedestrians from entering the ROW, which could endanger their own safety, as well as the safety of the traveling public.

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

06/05/2024

Print Name

Signature

Date

Project Manager

Edujie I. Imoisili

06/05/2024

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)()

[] Activity 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: 06/04/24

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 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:
 - o Stop all work with a 60-foot radius of discovery
 - o Protect the discovery area
 - o Notify the Engineer
 - o 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.

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

- Caltrans Standard Special Provision (SSP) 14-11.14 regarding the handling, storing, transporting and disposing of treat wood waste shall be included in the construction contract.

Biology:

- A qualified 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 preconstruction surveys, follow up surveys will need to be conducted prior to the start of construction related activities. Standard Special Provision 14-6.03A shall be included in the contract and implemented within the entire project limits.



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- 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. Standard Special Provision 14-6.03A shall be included in the contract and implemented within the entire project limits.
- Caltrans Standard Special Provision (SSP) 10-1.03 shall be included on the contract and implemented so that all work will be restricted to daylight hours. No work will occur between sunset and sunrise between post miles 16.9-18.3.
- If a natal den is discovered between August 1 and November 30, a qualified Caltrans biologist shall immediately contract the United States Fish and 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. Standard Special Provision 14-6.03A shall be included in the contract and implemented within the entire project limits.
- 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 1,500-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. Standard Special Provision 14-6.03A shall be included in the contract and implemented within the entire project limits.
- If 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. Standard Special Provision 14-6.03A shall be included in the contract and implemented within the entire project limits.
- 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.
- 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



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pipe, that section of pipe should not be moved until authorized by the Caltrans D10 Environmental Office. Contact the Caltrans D10 Environmental Office immediately. Standard Special Provision 14-6.03A shall be included in the construction contract and implemented within the entire project limits.

- Any contractor, employee, or agency personnel who inadvertently kills or injures a SJKF must immediately report the incident to Caltrans D10 Environmental Office. Standard Special Provision 14-6.03A shall be included in the construction contract and implemented within the entire project limits.
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- No firearms shall be allowed at the project site. Standard Special Provision 14-6.03A shall be included in the construction contract and implemented within the entire project limits.
- No pets, such as dogs or cats, should be permitted on the project site. Standard Special Provision 14-6.03A shall be included in the construction contract and implemented within the entire project limits.
- 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. Off road traffic outside of designated project areas should be prohibited. Standard Special Provision 14-6.03A shall be included in the contract and implemented within the entire project limits.
- 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. Standard Special Provision



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14-6.03A shall be included in the construction contract and implemented within the entire project limits.

- Use of rodenticides or herbicides is not allowed. Standard Special Provision 14-6.03A shall be included in the construction contract and implemented within the entire project limits.

No permits are required for this project.