

CATEGORICAL EXEMPTION/CATEGORICAL EXCLUSION DETERMINATION FORM

10-TUO-120	30.15-31.03	10-0X140/1012000156	
Dist.-Co.-Rte. (or Local Agency)	P.M./P.M.	E.A/Project No.	Federal-Aid Project No. (Local Project)/Project No.

PROJECT DESCRIPTION: (Briefly describe project including need, purpose, location, limits, right-of-way requirements, and activities involved in this box. Use Continuation Sheet, if necessary.)

The California Department of Transportation (Caltrans) proposes a highway maintenance project on State Route (SR) 120 within Tuolumne County to replace two (2) culverts with reinforced concrete pipes and repair culvert headwall. All culvert work will include open trenching and all work would be performed when culverts are dry. All construction will take place in Caltrans right of way. The purpose of this project is to maintain the culvert to protect the integrity of SR 120. The project is needed because the culverts are corroding and will fail if they are not maintained.

CALTRANS CEQA DETERMINATION (Check one)

☐ Not Applicable – Caltrans is not the CEQA Lead Agency ☐ Not Applicable – Caltrans has prepared an Initial Study or Environmental Impact Report under CEQA

Based on an examination of this proposal, supporting information, and the above statements, the project is:

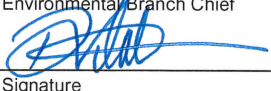
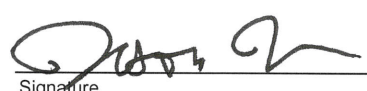
☐ Exempt by Statute. (PRC 21080[b]; 14 CCR 15260 et seq.)

☒ **Categorically Exempt. Class 1.** (PRC 21084; 14 CCR 15300 et seq.)

Based on an examination of this proposal and supporting information, the following statements are true and exceptions do not apply:

- If this project falls within exempt class 3, 4, 5, 6 or 11, it does not impact an environmental resource of hazardous or critical concern where designated, precisely mapped, and officially adopted pursuant to law.
- There will not be a significant cumulative effect by this project and successive projects of the same type in the same place, over time.
- There is not a reasonable possibility that the project will have a significant effect on the environment due to unusual circumstances.
- This project does not damage a scenic resource within an officially designated state scenic highway.
- This project is not located on a site included on any list compiled pursuant to Govt. Code § 65962.5 ("Cortese List").
- This project does not cause a substantial adverse change in the significance of a historical resource.

☐ **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].)]

Dominic Vitali Print Name: Senior Environmental Planner or Environmental Branch Chief  11/14/19 Signature Date	Jason B. Miller Print Name: Project Manager  11/14/19 Signature Date
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NEPA COMPLIANCE

In accordance with 23 CFR 771.117, and based on an examination of this proposal and supporting information, the State has determined that this project:

- does not individually or cumulatively have a significant impact on the environment as defined by NEPA, and is excluded from the requirements to prepare an Environmental Assessment (EA) or Environmental Impact Statement (EIS), and
- has considered unusual circumstances pursuant to 23 CFR 771.117(b).

CALTRANS NEPA DETERMINATION (Check one)

☐ **23 USC 326:** The State 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). As such, the project is categorically excluded from the requirements to prepare an EA or EIS under the National Environmental Policy Act. The State has been assigned, and hereby certifies that it has carried out the responsibility to make this determination pursuant to Chapter 3 of Title 23, United States Code, Section 326 and a Memorandum of Understanding dated May 31, 2016, executed between the FHWA and the State. The State 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 the State

☐ **23 USC 327:** Based on an examination of this proposal and supporting information, the State 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 December 23, 2016 and executed by FHWA and Caltrans.

Print Name: Senior Environmental Planner or Environmental Branch Chief Signature _____ Date _____	Print Name: Project Manager/DLA Engineer Signature _____ Date _____
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Date of Categorical Exclusion Checklist completion: n/a Date of ECR or equivalent : 11-14-19

Briefly list environmental commitments on continuation sheet. Reference additional information, as appropriate (e.g., CE checklist, additional studies and design conditions).

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Continuation Sheet

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Continued from page 1:

General:

- Environmental reevaluation will be required if the scope of the project changes to include additional area or activities, or if previously unknown cultural or other sensitive resources are discovered. Contact Environmental Office if project changes occur or sensitive resources are discovered.

Culvert Replacement				
Loc	County	Route	PM	Repair Type
1	TUO	120	30.15	Repair headwall
2	TUO	120	30.98	Existing 12" CMP replace by 24" CMP
3	TUO	120	31.03	Existing 12" CMP replace by 24" CMP

Biology:

- If construction will occur during the migratory bird nesting season (February 1-September 30) a pre-construction bird survey is required. If an active nest is observed, a 100-foot protective buffer will need to 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 100-foot buffer be established around the nest until the young have fledged. For active hawk nests a 300-foot buffer would be established.
- Caltrans Standard Special Provision 10-1.03 shall be implemented so that work is conducted during the dry season only (August 1-October 15), when the culverts are most likely to be dry.
- A botanical survey will be completed prior to the start of construction between the months of May and August. The survey will need to be completed at least 10 days prior to the start of construction. The presence of Tuolumne- Button Celery (TBC) will be identified and flagged. If TBC is present, a worker environmental awareness training will be conducted, by a qualified Caltrans Biologist, prior to the first day of construction activities. If impacts to the herb are unavoidable, the flagged TBC will be transplanted to a nearby location outside of the project area by a Caltrans Biologist. Please include SSP 14-6.03A for the botanical survey.

Haz Waste:

- Caltrans Standard Specification pertaining to Earth Material Containing Lead, 7-1.02K(j)(iii), shall be added to the construction contract. A Lead Compliance Plan is required, and soil must be redistributed on site.

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 the discovery;
 2. Protect the discovery area; and
 3. Notify the Engineer.

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 time the landowner will work with the MLD on the disrespectful treatment and disposition of the remains. Further provisions of PRC 5097.98 are to be followed as applicable.

No permits are required for this project.