



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

Project Information

Project Name (if applicable): Anzar Road Culvert and Sinkhole Emergency Repair

DIST-CO-RTE: 05-SBt-101

PM/PM: 4.2/4.5

EA: 05-1S510

Federal-Aid Project Number: 0525000046

Project Description

Caltrans proposes an emergency repair of failing culvert in San Benito County, route 101 between postmile 4.2 through 4.5 near Anzar Road in San Juan Bautista. The culvert is roughly 1000 feet long and below grade 50', the culvert is experiencing joint dislocation, sinkhole above, loss of hoop strength due to rusted invert for the majority of the culvert. The project will consist of excavating the embankment to remove and replace the first two and half sections of 7' CMP culvert, replacing first 50' of culvert entirely. Through the remainder of the host pipe, a 6' HDPE will continue while grouting the space between the host pipe and the new CMP. Repair sinkhole and slope embankment with native backfill, remove and replace flared end section at inlet, reestablish flowline at inlet. The purpose and need is to repair an existing highway drainage system.

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

Sunny McBride		6/3/2025
Print Name	Signature	Date

Project Manager

Victor Devens		6/9/25
Print Name	Signature	Date



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Caltrans NEPA Determination (Check one)

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)(9)(i)
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

Sunny McBride
Print Name
Signature
Date
6/3/2025

Project Manager/ DLA Engineer

Victor Devens
Print Name
Signature
Date
6/9/25

Date of Categorical Exclusion Checklist completion (if applicable): NA
Date of Environmental Commitment Record or equivalent: NA

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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Avoidance and Minimization Measures

US Army Corps of Engineers Regional General Permit

All work shall be in compliance with the General and Special Conditions cited in the US Army Corps of Engineers Regional General Permit (see attached).

Regional Water Quality Control Board BMPs

Among other requirements listed in the Technically Conditioned 401 Certification of Regional General Permit 5, the following will be implemented:

1. Pursuant to section VI.C.6, implement effective best management practices to control erosion and runoff from areas associated with the emergency project, including access road construction and maintenance.
2. Pursuant to section VI.E.1, all areas of temporary impacts must be restored to pre-project conditions.
3. Pursuant to VI.F.1. if surface water is present, continuous visual monitoring shall be conducted during active construction to detect accidental discharge of construction related pollutants.
4. Pursuant to VI.C.5 water diversion activities must not result in the degradation of beneficial uses or exceedances of water quality objectives of any of the receiving waters. Any temporary dam or other constructed obstruction must only be built from materials which will cause little or no siltation. Normal flows must be restored to the affected water immediately upon completion of work at that location.
5. Pursuant to section VI. D, Caltrans shall fully mitigate for the removal of riparian vegetation and trees, including the removal of three coast live oaks. To comply, Caltrans must submit a mitigation plan for Central Coast Water Board staff review and approval within forty-five (45) days of completion of construction to ensure the riparian area's value and functions of the site are equal or exceed pre-project riparian area's value and functions by the end of the mitigation monitoring period. The plan shall identify the mitigation type (habitat establishment, rehabilitation, enhancement, etc.), location, acreage and tree replacement ratio, design, monitoring, reporting, and implementation schedule. Caltrans' responsibility to complete the required mitigation as set forth in this condition shall not be considered fulfilled until all final mitigation performance standards for each impact area have been achieved. Caltrans shall implement the mitigation plan prior to termination of coverage.



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US Fish and Wildlife Avoidance and Minimization Measures

The following USFWS-provided avoidance and minimization measures will be implemented: California Tiger Salamander (*Ambystoma californiense*) and California red-legged frog (*Rana draytonii*).

1. Initial ground disturbing activities will be conducted during dry weather conditions to minimize the potential for encountering California tiger salamanders and California red-legged frogs (amphibians). The dry season is generally defined as July 1 to November 1.
2. Work will be conducted during daylight hours when amphibians are least likely to be moving above ground.
3. Work should be postponed if chance of rain is greater than 70% based on the NOAA National Weather Service forecast or within 48 hours following a rain event greater than 0.1 inch. If work must occur during these conditions, a qualified biologist will conduct a clearance sweep of work areas prior to the start of work.
4. If an unpredicted rainfall event commences while construction activities are in progress, the applicant will suspend all work activities. Equipment may be moved to a designated staging area until work is allowed to resume. The designated area will be a hard surface devoid of small mammal burrows.
5. Trenches will be covered or have adequate means of escape (earthen ramps not more than 2:1 slope, wooden boards, etc.).
6. No equipment will be left on-site overnight outside of the designated areas, defined as those areas that are enclosed with silt fence or some other barrier designed to reasonably prevent wildlife from entering.
7. Work locations, access routes, and staging areas will be reviewed and clearly delineated by the project biologist with staking or flagging prior to mobilization.
8. All equipment will be staged at the maximum distance possible from riparian habitat or water body.
9. Refueling or maintenance of vehicles or equipment will not occur within 100 feet of any riparian habitat or water body.
10. Vehicles and equipment will be checked daily for leaks, and all vehicular fluid spills will be contained and cleaned up immediately.
11. All construction-related vegetative debris (e.g., larger brush, tree limbs, tree trunks) will be hauled inside the designated area daily. Stockpiles of vegetative debris and tree mulch will be kept in a contained area inside the designated area, and intermittently hauled offsite for disposal.



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12. All construction-related debris, particularly food-related debris, will be disposed of in the crew's vehicles and taken offsite, or in a closed receptacle that will not attract scavenger wildlife.

13. A Service-approved biological monitor will conduct daily pre-construction surveys within the construction zone prior to work beginning each day during preliminary grading and site preparation. Thereafter, site inspections will continue on a less frequent basis as determined by the biological monitor. The biological monitor will have the authority to halt construction if necessary to limit unanticipated adverse impacts to water quality, fish and wildlife, and habitats.

14. Small mammal burrows will be identified with stakes or pin flags so that they may be excavated prior to construction in that area. A 20-foot radius area will be fenced around each burrow or burrow complex to ensure that vehicles, equipment, and personnel avoid the area.

15. The approved biological monitor will present a Worker Environmental Awareness Program to the crew prior to the commencement of construction and to any new crew members prior to beginning work on the jobsite. The training will include this list of avoidance and minimization measures, and will describe the identification and natural history of listed species (with emphasis on California tiger salamander and California red-legged frog), regulatory context, and required measures to minimize or avoid incidental take of listed species.

16. The work area will be surrounded by a solid temporary exclusion fence (such as silt fence) that will be buried into the ground and extend at least three feet above the ground and buried to a depth of at least six (6) inches to exclude amphibians and other listed/sensitive species from entering the work area. The location of the fencing will be determined by a Service-approved biologist. The fencing will be installed during the dry conditions prior to rain events that may stimulate movement of amphibians. The fence will be inspected daily to assure that it is functioning properly to exclude amphibians from the work area. Ingress/egress will be temporarily sealed off overnight using a section of fence that is anchored to the ground (e.g., fire hose filled with sand or sandbags can be used to anchor the bottom of the fence or the bottom must be buried).

17. All boreholes will be completely backfilled by the end of each workday and not be left open overnight.

18. Prior to the start of construction, a Service-approved biologist will conduct a preconstruction survey for these species within the project site. If any larvae of either species are found to be remaining within any bodies of water, the pond will not be impacted until the biologist can determine their development status. If the tadpole(s) are lacking any limb development and it is suspected that they may overwinter without metamorphosing, the Service will be consulted for further instructions on how to proceed.



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On-site ponds will not be impacted until the Service-approved biologist ensures there is no evidence of larvae California tiger salamanders and California red-legged frogs.

19. Rodent burrows will be avoided to the extent possible. If burrows cannot be avoided, burrow excavation may be performed using hand tools or via gentle excavation using construction equipment, under the direct supervision of a Service-approved biologist, until it is certain that the burrows are unoccupied.

In lieu of burrow excavation, steel plates or plywood may also be utilized to protect small mammal burrows from ground disturbance. Plates and plywood will be removed nightly when a significant rain event is forecasted within 48 hours and will be removed if work is scheduled to cease for consecutive days. Any individuals encountered will be allowed to vacate the area on their own accord or relocated out of harm's way in accordance with Measure 20, below.

20. The Service-approved biologist will search all potential hiding spots for these amphibians. If any life stage is found and these individuals are likely to be killed or injured by work activities, the Service-approved biologist will be allowed sufficient time to move them from the site before work begins.

21. Any amphibians (or other wildlife) will be allowed to vacate the worksite on its own accord under the observation of a Service-approved biologist. If these amphibians (or other wildlife) do not relocate on their own, or if they are in harm's way, they will be relocated out of harm's way to nearby suitable habitat, similar to that in which it was found, and outside the project area. Both amphibians will not be relocated, except by a Service-approved biologist. The Declining Amphibian Task Force Fieldwork Code of Practice will be implemented for all amphibian relocation activities.

The Service-approved biologist will relocate any amphibian found within the project footprint to an active rodent burrow system located no more than 300 feet outside of the project area unless otherwise approved by California Department of Fish and Wildlife and the Service. The individual will be handled with clean and moistened hands. During relocation they will be placed in a clean, covered plastic container with a non-cellulose moistened sponge. Relocations will take place immediately; individuals will not be stored for lengthy periods or in heated areas. The relocation container will be kept out of direct sunlight.

The relocated amphibians will be monitored until it enters a burrow and is concealed underground. Relocation areas will be identified by the Service-approved biologist based upon best suitable habitat available. The Service-approved biologist will document both locations by photographs and GPS positions. The amphibians will be photographed and measured (snout-vent) for identification purposes prior to relocation. All documentation will be provided to the Service and California Department of Fish and Wildlife within 24 hours of relocation.



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Please contact biologist Paul Holmes at 805-459-9634 or email at Paul.Holmes@dot.ca.gov with any questions, concerns or project scope changes.

Visual Minimization and Avoidance Measures

1. Preserve as much existing vegetation as possible. Prescriptive clearing and grubbing and grading techniques which save the most existing vegetation possible should be employed.
2. Revegetate all disturbed areas with native plant species appropriate to each specific work location if appropriate and feasible based on a permanent erosion control recommendation by District 5 Landscape Architecture.
3. Following construction, re-grade and re-contour all new construction access roads, staging areas, and other temporary uses as necessary to match the surrounding pre-project topography.
4. Replacement planting shall include aesthetic considerations as well as the inherent biological goals. Revegetation shall include native trees and plants as determined by the Caltrans Biologist and Caltrans District 5 Landscape Architect.

Please contact Henry Barnes via (805) 503-2879 or email at Henry.Barnes@dot.ca.gov with any questions, concerns or project scope updates.



DEPARTMENT OF THE ARMY
SAN FRANCISCO DISTRICT, U.S. ARMY CORPS OF ENGINEERS
450 GOLDEN GATE AVENUE
SAN FRANCISCO, CALIFORNIA 94102

May 21, 2025

Regulatory Division

SUBJECT: File Number 2025-00163, Anzar Road Culvert Repair and Replacement (EA 05-1S510)

Mr. Jeremy Sheffield
California Department of Transportation (District 5)
50 Higuera Street
San Luis Obispo, California 93401
Jeremy.Sheffield@dot.ca.gov

Dear Mr. Sheffield:

This letter is written in response to your submittal of May 8, 2025, Department of the Army authorization to conduct emergency work to repair and replace a damage culvert under Highway 101. The project is located at postmile markers (PM) PM 4.2 and PM 4.5, in the City of San Juan Bautista, in San Benito County, California (Lat: 36.875269, Long: -121.570057).

Based on a review of the information you submitted, your project qualifies for authorization under Department of the Army Regional General Permit (RGP) No. 5 for Repair and Protection Activities in Emergency Situations, pursuant to Section 404 of the Clean Water Act, as amended (33 U.S.C. § 1344 *et seq.*). A copy is located on our website at:

https://www.spn.usace.army.mil/Portals/68/docs/regulatory/Emergency%20Permits/RGP05_2019.pdf. All work shall be completed in accordance with the submitted project description of May 8, 2025.

The project must be in compliance with the General and Special Conditions cited in the RGP for the authorization to remain valid. Non-compliance with any condition could result in the suspension, modification, or revocation of the authorization for your project, thereby requiring you to obtain a Nationwide or Individual Permit from the Corps. State Water Quality Certification (WQC) has been issued for work performed under the provisions of the RGP. In order for this authorization to remain valid, you must follow the limitations and conditions stated in the WQC attached to the RGP. This RGP authorization does not obviate the need to obtain other State or local approvals required by law.

Work must be initiated within seven days of receiving this letter. RGP5 authorization will remain valid until August 30, 2025, unless the RGP is suspended, modified, or revoked. All work must be completed by this date and the associated post-activity report forwarded within 45 days of project completion (as required by RGP 5 General Condition 26). Upon completion of the project and all associated mitigation requirements, you shall sign and return the enclosed Certification of Compliance, Enclosure 1, verifying that you have complied with the terms and conditions of the permit.

In order to ensure compliance with this RGP authorization, the following special conditions shall be implemented:

1. To minimize the potential for project-related impacts to federally listed species you shall adhere to the discretionary recommendations provided by the USFWS in enclosure 2.
2. Excavation equipment shall work from an upland site (e.g., from the top of the bank, the roadbed of the bridge, or culverted road crossing) to minimize adding fill into waters of the U.S.
3. Any change in the project design, materials, or construction methods, must be approved by the Corps in writing.
4. A post-construction report shall be submitted 45 days after the conclusion of construction activities. The report shall document construction activities and contain as-built drawings (if different from drawings submitted with application) and include before and after photos. The report shall also document any deviation from the estimated impacts to waters of the U. S. and shall include an accurate description of project impacts, including the amount of fill discharged into waters of the U. S. (both temporary and permanent).

You may refer any questions on this matter to Michael Orellana by telephone at (415) 503-6769 or by e-mail at michael.s.orellana@usace.army.mil. All correspondence should be addressed to the Regulatory Division, South Branch, referencing the file number at the head of this letter.

The San Francisco District is committed to improving service to our customers. The Regulatory staff seeks to achieve the goals of the Regulatory Program in an efficient and cooperative manner while preserving and protecting our nation's aquatic resources. If you would like to provide comments on our Regulatory Program, please complete the Customer Service Survey Form available on our website:
www.sfn.usace.army.mil/Missions/Regulatory.aspx

Sincerely,

Katerina Galacatos, Ph.D.
South Branch Chief, Regulatory Division

Electronic copies furnished:

California Department of Transportation, San Luis Obispo, CA (Attn: Sunny McBride,
Sunny.McBride@dot.ca.gov)

Central Coast RWQCB, San Luis Obispo, CA (Attn Alia Ajina,
Alia.Ajina@Waterboards.ca.gov)

USFWS, Ventura, CA (Attn: Robert McMorran, robert_mcmorran@fws.gov)