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

Project Information

Project Name (if applicable): Merced 165 Pavement Anchor Project

DIST-CO-RTE: 10-MER-165 **PM/PM:** 7.0-12.0

EA: 10-1P040 **Federal-Aid Project Number:** N/A

Project Description

The California Department of Transportation (Caltrans) proposes to construct Complete Street elements to improve multi-modal corridor access, aesthetics, and mobility along state route (SR) 165 and in the City of Los Banos by constructing new sidewalks, ADA curb ramps, crosswalks, and Class II buffered bike lanes; and creating access improvements to turn-outs and barriers. See continuation sheet.

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

Laura Cook	Laura N. Cook	04/23/2026
Print Name	Signature	Date

Project Manager

Pedro Miguel	P Miguel Jr	4/23/2026
Print Name	Signature	Date

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)(26)**
- ☐ **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

Laura Cook	Laura N. Cook	04/23/2026
Print Name	Signature	Date

Project Manager/ DLA Engineer

Pedro Miguel	P Miguel Jr	4/23/2026
Print Name	Signature	Date

Date of Categorical Exclusion Checklist completion (if applicable): 4/1/2026
Date of Environmental Commitment Record or equivalent: 4/23/2026

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).

Continuation sheet:

Purpose and Need

The purpose of the project is to restore the roadway facility by rehabilitating the pavement that has deteriorated due to use, and to incorporate Complete Street Elements in the City of Los Banos.

The project is needed to address the deficient pavement on SR 165 and promote mobility through the City of Los Banos for motorists, pedestrians, and bicyclists.

Description of Work

The California Department of Transportation proposes to rehabilitate pavement and install Complete Streets elements on State Route 165 within the City of Los Banos in Merced County. The project proposes to cold plane existing pavement by 0.25 feet and resurface with a 0.10-foot leveling course of Hot Mix Asphalt (HMA) Type A, followed by a Stress Absorbing Membrane Interlayer - Fabric (SAMIF) and a 0.15-foot HMA Type A top lift. The work will include pavement dig-outs and localized failure repairs, replacement or upgrade of asphalt concrete dikes and curbs, and placement of shoulder backing. Complete Streets improvements will include construction of new sidewalks, Americans with Disabilities Act-compliant curb ramps, crosswalks, and Class II buffered bike lanes, as well as access improvements to turn-outs and barriers. Additional work will include drainage improvements consisting of replacing four culverts, four drainage inlets, and two roadside ditches; erosion control; installation of signals, flashing beacons, and lighting; pavement delineation; and roadside signs.

The project will require eight temporary construction easements for driveway conforming. Construction may require utility relocation and temporary traffic detours.

General

The project is Categorically Exempt under the California Environmental Quality Act and Categorically Excluded under the National Environmental Policy Act unless: 1) the scope of the project changes to include additional activities or areas; or 2) there is unforeseen discovery of sensitive or cultural resources. Environmental reevaluation will be required if either of these conditions are met.

Air Quality

Per the Air Quality Memo, dated October 15, 2025, this project is not expected to cause any operational effects on air pollutants. This project is also not greenhouse gas capacity increasing.

During construction, the proposed project will generate air pollutants. Caltrans Standard Specifications pertaining to dust control and dust palliative requirements are a required part of all construction contracts and should effectively reduce and control emission

impacts during construction. The provisions of Caltrans Stand Specifications, Section 14-9.0 “Air Pollution Control” and Section 10-5 “Dust Control”, require the contractor to comply with the air pollution control rules, ordinances, and regulations and statues that apply to work performed under the contract, including those provided in CFR § 11017.

Biological Resources

Per the Natural Environmental Study (Minimal Impacts) report, dated February 25, 2026 the following significance determinations have been made : The project area does not contain suitable habitat or lies outside the known range of all federally listed species evaluated; therefore, the project will have **no effect** on species listed or proposed for listing under the Federal Endangered Species Act, including Fresno kangaroo rat, San Joaquin kit fox, California condor, blunt-nosed leopard lizard, giant garter snake, California tiger salamander, monarch butterfly, valley elderberry longhorn beetle, vernal pool fairy shrimp, and vernal pool tadpole shrimp. Although agricultural ditches provide marginal aquatic habitat for the giant garter snake, no suitable upland habitat is present, and the project is **not expected to result in take**; therefore, Section 7 consultation is **not required**. A review of NOAA’s Essential Fish Habitat (EFH) Mapper confirms that **no EFH occurs within the Biological Study Area**, and consultation under the Magnuson-Stevens Act is not required. Under the California Endangered Species Act, the project will **not result in take** of any state-listed species due to the absence of suitable habitat or species ranges, including American badger, American bumble bee, giant garter snake, Swainson’s hawk, tricolored blackbird, and multiple special-status plants and invertebrates.

Community Impacts

Per the Community Impacts memo, dated April 7, 2026, the project will not result in adverse impacts to the project area or to the nearest community of Los Banos.

Cultural Resources

Per the Historic Properties Survey Report and Supplemental Historic Properties Survey Report, dated December 19, 2025, and March 19th 2026, respectively: Caltrans, pursuant to Section 106 PA, has determined a Finding of No Historic Properties Affected is appropriate for this undertaking because there are no historic properties will be affected.

Cumulative Impacts for CEQA

Per the Cumulative Impacts Assessment Memo, dated April 7, 2026, the project will not result in cumulative impacts to any natural, community, or cultural resources based on climate change, hazardous waste, land use, or utilities.

Floodplain

Per the Preliminary Floodplain Analysis Memo, dated February 2, 2026, the project location does not fall within an area where flood hazard is determined. The project does not consist of a longitudinal encroachment or a significant encroachment on the base floodplain. Furthermore, the project area does not fall under Central Valley Flood Protection Board (CVFPB) jurisdiction, so a CVFPB permit is not required.

Hazardous Waste

Per the Hazardous Waste Initial Site Assessment dated October 9, 2025, a database search did not identify any hazardous material or Cortese sites that would cause contamination near the work sites. A review of regulatory databases and departmental resources identified two small electrical substations within the project limits; however, proposed work in these areas does not involve soil disturbance, and contamination is not anticipated. The project is located in an active agricultural region, and soil surveys for organochlorine pesticides (OCPs) and petroleum hydrocarbons will be completed during PS&E due to nearby agricultural use and historic UST facilities.

One open cleanup site (Lister Ag Aviation) and six closed leaking UST sites are located within 500 feet of the corridor. The closed sites have received No Further Action determinations, and the open case is considered low-risk due to its age and distance.

There is potential to encounter non-hazardous concentrations of Aerially Deposited Lead (ADL) and to generate excess soil during roadway widening. SSP 7-1.02K(6)(j)(iii) will be included, and an ADL soil study will be performed during PS&E. A Lead Compliance Plan (LCP) prepared by a Certified Industrial Hygienist (CIH) will be required. If regulated ADL is encountered, SSP 14-11.08 and/or SSP 14-11.09 will be applied.

Climate Change for CEQA

Per the Climate Change Risk and Adaptation Report, dated September 9, 2025, the purpose of the proposed project is to improve mobility for roadway users and add Complete Street Elements. This type of project generally causes minimal or no increase in operational GHG emissions and will not increase the vehicle capacity of the roadway. Because the project would not increase the number of travel lanes on SR 165, no increase in vehicle miles traveled (VMT) would occur. While some GHG emissions during the construction period would be unavoidable, no increase in operational GHG emissions is expected.

All construction contracts include Caltrans Standard Specifications related to air quality. Section 7-1.02A and 7 1.02C, Emissions Reduction, requires contractors to comply with all laws applicable to the project and to certify they are aware of and will comply with all ARB emission reduction regulations. Section 14-9.02, Air Pollution Control, requires contractors to comply with all air pollution control rules, regulations, ordinances, and

statutes. Certain common regulations, such as equipment idling restrictions, that reduce construction vehicle emissions also help reduce GHG emissions.

The following additional measures will be implemented in the project to reduce GHG emissions and potential climate change impacts from the project.

- Caltrans will implement energy efficient construction methodologies.
- Caltrans will incorporate Complete Streets components that make non-auto modes of transportation more attractive.
- Caltrans will incorporate heat resistant materials for culverts and Complete Street elements (signage, etc).
- Where available, Caltrans will utilize material within a local radius of the project area and/or locally available building material be utilized to reduce GHG emissions.
- Caltrans will implement practices for reducing roadway construction /demolition waste.
- Caltrans will implement fuel efficient measures both for construction equipment and traffic management during delays or detours.
- Caltrans will limit idling to 5 minutes for delivery and dump trucks and other diesel-powered equipment (with some exceptions).
- Caltrans will use alternative fuels such as renewable diesel for construction equipment.

Caltrans will select pavement materials that lower the rolling resistance of highway surfaces as much as possible while still maintaining design and safety standards

Floodplain

Per the Preliminary Floodplain Analysis Memo dated February 2, 2026, the project location does not fall within an area where flood hazard is determined. The project does not encroach the 100-year flood plain. Furthermore, the project area does not fall under Central Valley Flood Protection Board (CVFPB) jurisdiction, so a CVFPB permit is not required.

Noise

Per the Noise Compliance Study dated August 26, 2025, the project would not introduce any potential for long-term traffic noise impacts under the requirements for a Type I or Type II traffic noise project under 23CFR772. Therefore, the project falls under the category of Type III noise projects; however, during construction, the project would comply with Caltrans Standard Specification Section 14-8.02 “Noise Control” regarding construction noise.

During construction of the project, noise from construction activities may intermittently dominate the noise environment in the immediate area of construction. Construction noise is regulated by Caltrans Standard Specifications Section 14-8.02 “Noise Control,”

which states construction noise resulting from work activities should not exceed 86 dBA at 50 feet from the job site from 9:00 p.m. to 6:00 a.m.

No adverse noise impacts from construction are anticipated because construction would be conducted in a rural setting and in accordance with Caltrans Standard Specifications Section 14-8.02. Furthermore, implementing the following measures would minimize the temporary noise impacts from construction:

- Do not exceed 86 dBA Lmax at 50 feet from the job site activities from 9:00 p.m. to 6:00 a.m.

- Equip an internal combustion engine with the manufacturer-recommended muffler. Do not operate an internal combustion engine on the job site without the appropriate muffler.

Paleontological Resources

Per the Paleontological Identification Report dated October 16, 2025, the project area is identified as having low paleontological sensitivity. Because excavation will be shallow and limited in extent, the likelihood of encountering scientifically significant fossils is low, and no paleontological mitigation is recommended.

Sections 4(f)

Per the Section 4(f) memo, dated October 30, 2025, the Section 4(f) properties located within the project area will not be impacted by this work. There will be no use of any Section 4(f) resources for this project.

Visual

Per Visual Impact Assessment dated October 28th, 2025 the project is not expected to cause a long-term or substantial visual modification from the existing conditions.

Water Quality

Per the Water Quality Compliance Memo, dated February 24, 2025, this project is not anticipated to result in long-term water quality impacts on nearby surface water or groundwater. Short-term potential impacts to nearby surface and groundwater could occur due to accidental spills or poor management of handling hazardous materials, fuels, and other potential chemicals used during construction activities. Any potential impacts (erosion, accidental spills of hazardous material, and disruption to natural drainage) must be addressed, eliminated, or minimized to the maximum extent practicable during the design and construction phases of the project by incorporating the appropriate permanent and temporary BMPs into the project. By incorporating proper and accepted engineering practices and BMPs, the project will not have significant impacts on water quality during construction or its operation.