

# NOTICE OF EXEMPTION

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**FROM:** City of Fresno  
Department of CAPITAL PROJECTS  
747 R St., 2<sup>nd</sup> Floor  
Fresno, California 93721-4016

**TO:**  Fresno County Clerk  
2220 Tulare Street  
Fresno, California 93721

Office of Planning & Research      SCH NO.: N/A  
P.O. Box 3044, Room 113  
Sacramento, California 95812-3044

**Project Title:** Herndon Avenue between Polk Avenue and Milburn Avenue

**Project Location:** Herndon Avenue between Polk Avenue and Milburn Avenue

**Project Location – City:** City of Fresno      **Project Location – County:** County of Fresno

**Description of Nature, Purpose and Beneficiaries of Project:** The City of Fresno, Public Works and Capital Projects Departments, is proposing to perform improvements that include roadway rehabilitation and widening the 4-lane bridge crossing the Bulington Northern Santa Fe (BNSF) tracks to 6 lanes. The project will also construct an additional lane of traffic in each direction between Polk Avenue and Milburn Avenue to eliminate a traffic bottleneck and match the roadway lane configuration along each end of the project. The project will also eliminate a trail gap within these limits by constructing a Class I.

**Name of Public Agency Approving Project:** City of Fresno – Public Works and Capital Projects Departments

**Name of Person or Agency Carrying Out Project:** Victor Valdez  
City of Fresno  
Capital Projects Department  
747 R St., 2<sup>nd</sup> Floor  
Fresno, CA 93721

**Exempt Status:** (check one)

- Ministerial: PRC § 21080(b)(1); CEQA Guidelines §15268  
 Declared Emergency: PRC § 21080(b)(3); CEQA Guidelines §15269(a)  
 Emergency Project: PRC § 21080(b)(4); CEQA Guidelines §15269(b) and (c)  
 Categorical Exemption: CEQA Guidelines §15301/Class 1 and 15302/Class 2  
 Statutory Exemption: PRC § \_\_\_\_\_

**Reasons why project is exempt:** Section 15301/Class 1 of the CEQA Guidelines exempts from the provisions of CEQA, projects consisting of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of existing or former use. The types of "existing facilities" itemized below are not intended to be all-inclusive of the types of projects which might fall within Class 1. The key consideration is whether the project involves negligible or no expansion of use.

Specifically included in this class of exemption are:

(c) Existing highways and streets, sidewalks, gutters, bicycle and pedestrian trails, and similar facilities (this includes road grading for the purpose of public safety), and other alterations such as the addition of bicycle facilities, including but not limited to bicycle parking, bicycle-share facilities and bicycle lanes; and

d) Restoration or rehabilitation of deteriorated or damaged structures, facilities, or mechanical equipment to meet current standards of public health and safety, unless it is determined that the damage was substantial and resulted from an environmental hazard such as earthquake, landslide, or flood;

(f) Addition of safety or health protection devices for use during construction of or in conjunction with existing structures, facilities, or mechanical equipment, or topographical features including navigational devices.

Section 15302/Class 2 consists of replacement or reconstruction of existing structures and facilities where the new structure will be located on the same site as the structure replaced and will have substantially the same purpose and capacity as the structure replaced.

The proposed project is consistent with Class 1 and Class 2 exemptions because the project is proposing to make improvements to existing roadways by repairing and replacing existing asphalt pavement and railroad crossing, reinstalling signage and striping, replacing traffic signal loops, and adjusting water valves and manhole covers to grade. The proposed improvements are minor, do not constitute an expansion of use, and will improve the public right-of-way without increasing capacity because the only changes to the roadway will be repairs to the existing facilities. The proposed project involves negligible expansion of the existing use, will have substantially the same purpose and capacity and will be located on the same site as the facilities being replaced.

The proposed project complies with all conditions described in Sections 15301/Class 1 and 15302/Class 2 of the California CEQA Guidelines. Based on staff analysis, it was determined that no adverse environmental impacts would occur as a result of the proposed project and none of the exemptions to Categorical Exemptions set forth in the CEQA Guidelines Section 15300.2 apply to this project. Therefore, a categorical exemption, as noted above, has been prepared for the project.

**None of the exceptions to Categorical Exemptions set forth in the CEQA Guidelines, Section 15300.2 apply to this project.**

CEQA Guidelines, Section 15300.2, Exceptions, identifies the following exceptions to using a categorical exemption. Based on an examination of the project and supporting information, the project would not result in any impacts to the environment that would cause an exception to applying the Class 1, Existing Facilities, or Class 2, Replacement or Reconstruction, Categorical Exemptions, to the project, as described below.

*(a) Location. Classes 3, 4, 5, 6, and 11 are qualified by consideration of where the project is to be located – a project that is ordinarily insignificant in its impact on the environment may in a particularly sensitive environment be significant.*

Exception (a) does not apply because the project falls within the Class 1, Existing Facilities, and Class 2, Replacement or Reconstruction Exemptions.

**(b) Cumulative Impact.** *All exemptions for these classes are inapplicable when the cumulative impact of successive projects of the same type in the same place, over time is significant.*

Exception (b) does not apply. This project involves existing roadway pavement rehabilitation via full depth reconstruction, grind and overlay of asphalt concrete pavement and railroad crossing widening only. The City has no plans to construct other projects or introduce other land uses at this site in the future.

**(c) Significant Effects.** *A categorical exemption shall not be used for any activity where there is a reasonable possibility that the activity will have a significant effect on the environment due to unusual circumstances.*

Exception (c) does not apply. There is not a reasonable possibility that the project would have a significant effect on the environment due to unusual circumstances. There is nothing unusual about the Project site or construction specifications which would cause a significant effect. Project impacts would be typical construction-related effects (e.g. dust, traffic, noise) and would be temporary in nature. The project would include implementation of standard best management practices (BMPs) to avoid and minimize environmental impacts throughout construction activities. These include practices related to fugitive dust control, noise and traffic control, reducing erosion and sedimentation, and protecting water quality. Once constructed, the project would not result in significant impacts from operation and would be the same as that currently existing.

**(d) Scenic Highways.** *A categorical exemption shall not be used for a project which may result in damage to scenic resources, including but not limited to, trees, historic buildings, rock outcroppings, or similar resources within a highway officially designated as a state scenic highway.*

Exception (d) does not apply. This project involves existing roadway pavement rehabilitation via full depth reconstruction, grind and overlay of asphalt concrete pavement and railroad crossing widening only. In addition, the project site is not located within, along, or near any Officially Designated State Scenic Highway or local roadway of importance (Caltrans 2025). The nearest Eligible State Scenic Highway, State Route 99, is located 1.8 miles away from the closest project area. Therefore, implementation of the project would not affect any scenic highways or damage any scenic resources.

**(e) Hazardous Waste Sites.** *A categorical exemption shall not be used for a project located on a site which is included on any list compiled pursuant to Section 65962.5 of the Government Code.*

Exception (e) does not apply. This project involves existing roadway pavement rehabilitation via full depth reconstruction, grind and overlay of asphalt concrete pavement and railroad crossing widening only and there will be some excavation or disturbing of soil within the

project scope. However, the GeoTracker and EnviroStor databases were checked on February 11, 2026. The search area included the entire project limits area. The GeoTracker and EnviroStor search resulted in no hazardous waste sites being located within the limits of any of the project area.

**(f) Historical Resources.** *A categorical exemption shall not be used for a project which may cause a substantial adverse change in the significance of a historical resource.*

Exception (f) does not apply. This project involves existing roadway pavement rehabilitation via full depth reconstruction, grind and overlay of asphalt concrete pavement, and railroad crossing widening only. The project site does not include any historic resources (Historic Fresno 2025, <https://historicfresno.org/lrhr/index.htm>). There are no Right-of-Way acquisitions for this project. No known archaeological resources are present, and the project does not involve any disturbance of soils. Therefore, there is a de minimis chance of adverse effect to potential cultural resources. Therefore, the project would not cause a substantial adverse change in the significance of a historical resource.

None of the exceptions to Categorical Exemptions set forth in the CEQA Guidelines Section 15300.2 apply to this project.

**Lead Agency Contact Person:** Victor Valdez

**Telephone No.** (559) 621-8809

**Signature:** \_\_\_\_\_



**Date:** \_\_\_\_\_

02/25/2026

**Printed Name and Title:**

Victor Valdez, PE, Licensed Professional Engineer  
Department of Capital Projects, Design Services Division

**Signed by Lead Agency**

**Signed by applicant**

**Attachments:** Categorical Exemption Determination

**CITY OF FRESNO  
CATEGORICAL EXEMPTION  
ENVIRONMENTAL ASSESSMENT NO. PW00679  
HERNDON AVENUE BETWEEN POLK AVENUE AND MILBURN AVENUE**

THE PROJECT DESCRIBED HEREIN IS DETERMINED TO BE CATEGORICALLY  
EXEMPT FROM THE PREPARATION OF ENVIRONMENTAL DOCUMENTS  
PURSUANT TO ARTICLE 19 OF THE STATE CEQA GUIDELINES.

**APPLICANT:** Victor Valdez, PE  
Licensed Professional Engineer  
City of Fresno Capital Projects Department  
747 R Street, 2<sup>nd</sup> Floor  
Fresno, CA 93721

**PROJECT LOCATION:** The proposed project will occur along Herndon Avenue and bridge crossing over the BNSF Mainline USDOT Crossing No. 028588E, CPUC Crossing No. between Polk Avenue and Milburn Avenue in the City of Fresno.

**PROJECT DESCRIPTION:** The City of Fresno, Public Works and Capital Projects Departments, is proposing to perform improvements that include roadway rehabilitation and widening the 4-lane bridge crossing the Burlington Northern Santa Fe (BNSF) tracks to 6 lanes. The project will also construct an additional lane of traffic in each direction between Polk Avenue and Milburn Avenue to eliminate a traffic bottleneck and match the roadway lane configuration along each end of the project. The project will also eliminate a trail gap within these limits by constructing a Class I Bike Lane

**This project is exempt under Sections 15301/Class 1 and 15302/Class 2 of the California Environmental Quality Act (CEQA) Guidelines. None of the exceptions to Categorical Exemptions set forth in the CEQA Guidelines, Section 15300.2 apply to this project.**

**EXPLANATION:**

**Section 15301/Class 1** of the CEQA Guidelines exempts from the provisions of CEQA, projects consisting of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of existing or former use. The types of "existing facilities" itemized below are not intended to be all-inclusive of the types of projects which might fall within Class 1. The key consideration is whether the project involves negligible or no expansion of use.

Specifically included in this class of exemption are:

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facilities (this includes road grading for the purpose of public safety), and other alterations such as the addition of bicycle facilities, including but not limited to bicycle parking, bicycle-share facilities and bicycle lanes; and

d) Restoration or rehabilitation of deteriorated or damaged structures, facilities, or mechanical equipment to meet current standards of public health and safety, unless it is determined that the damage was substantial and resulted from an environmental hazard such as earthquake, landslide, or flood;

(f) Addition of safety or health protection devices for use during construction of or in conjunction with existing structures, facilities, or mechanical equipment, or topographical features including navigational devices.

**Section 15302/Class 2** consists of replacement or reconstruction of existing structures and facilities where the new structure will be located on the same site as the structure replaced and will have substantially the same purpose and capacity as the structure replaced.

The proposed project is consistent with Class 1 and Class 2 exemptions because the project is proposing to make improvements to existing roadways by repairing and replacing existing asphalt pavement and railroad crossing, reinstalling signage and striping, replacing traffic signal loops, and adjusting water valves and manhole covers to grade. The proposed improvements are minor, do not constitute an expansion of use, and will improve the public right-of-way without increasing capacity because the only changes to the roadway will be repairs to the existing facilities. The proposed project involves negligible expansion of the existing use, will have substantially the same purpose and capacity and will be located on the same site as the facilities being replaced.

The proposed project complies with all conditions described in Sections 15301/Class 1 and 15302/Class 2 of the California CEQA Guidelines. Based on staff analysis, it was determined that no adverse environmental impacts would occur as a result of the proposed project and none of the exemptions to Categorical Exemptions set forth in the CEQA Guidelines Section 15300.2 apply to this project. Therefore, a categorical exemption, as noted above, has been prepared for the project.

**None of the exceptions to Categorical Exemptions set forth in the CEQA Guidelines, Section 15300.2 apply to this project.**

CEQA Guidelines, Section 15300.2, Exceptions, identifies the following exceptions to using a categorical exemption. Based on an examination of the project and supporting information, the project would not result in any impacts to the environment that would cause an exception to applying the Class 1, Existing Facilities, or Class 2, Replacement or Reconstruction, Categorical Exemptions, to the project, as described below.

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Exception (a) does not apply because the project falls within the Class 1, Existing Facilities, and Class 2, Replacement or Reconstruction Exemptions.

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Exception (b) does not apply. This project involves existing roadway pavement rehabilitation via full depth reconstruction, grind and overlay of asphalt concrete pavement and railroad crossing widening only. The City has no plans to construct other projects or introduce other land uses at this site in the future.

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Exception (c) does not apply. There is not a reasonable possibility that the project would have a significant effect on the environment due to unusual circumstances. There is nothing unusual about the Project site or construction specifications which would cause a significant effect. Project impacts would be typical construction-related effects (e.g. dust, traffic, noise) and would be temporary in nature. The project would include implementation of standard best management practices (BMPs) to avoid and minimize environmental impacts throughout construction activities. These include practices related to fugitive dust control, noise and traffic control, reducing erosion and sedimentation, and protecting water quality. Once constructed, the project would not result in significant impacts from operation and would be the same as that currently existing.

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Exception (d) does not apply. This project involves existing roadway pavement rehabilitation via full depth reconstruction, grind and overlay of asphalt concrete pavement and railroad crossing widening only. In addition, the project site is not located within, along, or near any Officially Designated State Scenic Highway or local roadway of importance (Caltrans 2025). The nearest Eligible State Scenic Highway, State Route 99, is located 1.8 miles away from the closest project area. Therefore, implementation of the project would not affect any scenic highways or damage any scenic resources.

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Exception (e) does not apply. This project involves existing roadway pavement rehabilitation via full depth reconstruction, grind and overlay of asphalt concrete pavement and railroad crossing widening only and there will be some excavation or disturbing of soil within the project scope. However, the GeoTracker and EnviroStor databases were checked on February 11, 2026. The search area included the entire project limits area. The GeoTracker and EnviroStor search resulted in no hazardous waste sites being located within the limits of any of the project area.

**(f) Historical Resources.** *A categorical exemption shall not be used for a project which may cause a substantial adverse change in the significance of a historical resource.*

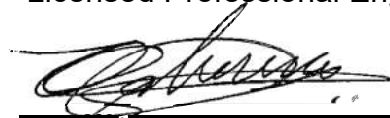
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None of the exceptions to Categorical Exemptions set forth in the CEQA Guidelines Section 15300.2 apply to this project.

Date: February 12, 2026

Prepared By: Victor Valdez, PE  
Licensed Professional Engineer

Submitted by:



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Victor Valdez, PE  
Licensed Professional Engineer  
City of Fresno  
Capital Projects Department  
(559) 621-8809