Print Form

Notice of Exemption

Appendix E

To: Office of Land Use and Climate Innovation
P.O. Box 3044, Room 113
Sacramento, CA 95812-3044

County Clerk
County of: Contra Costa County
555 Escobar Street
Martinez, CA 94553

From: (Public Agency): East Bay Regional Park District
2950 Peralta Oaks Court
Oakland, California 94605
(Address)

Project Title: Iron Horse Trail Lower Walnut Creek Channel, Imhoff Drive Connection

Project Applicant: East Bay Regional Park District

Project Location - Specific:

City of Concord and Contra Costa County along Marsh Drive north to Imhoff Drive

Project Location - City: Concord Project Location - County: Contra Costa County

Description of Nature, Purpose and Beneficiaries of Project:

The proposed project would extend the Iron Horse Regional Trail, from its current terminus at Marsh Drive approximately 1,500 feet north to Imhoff Drive.
It would pave the existing compact dirt and gravel access road to match the conditions on the rest of the Iron Horse Regional Trail. The proposed project would include three trail under-crossings at Marsh Drive, State Route 4 (Walnut Creek Bridge), and Imhoff Drive.

Name of Public Agency Approving Project: East Bay Regional Park District

Name of Person or Agency Carrying Out Project: East Bay Regional Park District

Exempt Status: **(check one):**

- ☐ Ministerial (Sec. 21080(b)(1); 15268);
- ☐ Declared Emergency (Sec. 21080(b)(3); 15269(a));
- ☐ Emergency Project (Sec. 21080(b)(4); 15269(b)(c));
- ☒ Categorical Exemption. State type and section number: Section 15301 and Section 15304
- ☐ Statutory Exemptions. State code number: _____

Reasons why project is exempt:

The proposed project is consistent with Class 1, Existing Facilities CEQA Exemption, and Class 4, Minor Alterations to Land CEQA Exemption.

A Notice of Exemption Memo is available to the general public at 2950 Peralta Oaks Court (EBRPD District offices).

Lead Agency Contact Person: Rourke Healey Area Code/Telephone/Extension: 510-544-2613

If filed by applicant:

1. Attach certified document of exemption finding.
2. Has a Notice of Exemption been filed by the public agency approving the project? Yes No

Signature: Rourke Healey Date: 07/15/2026 Title: Planner

- Signed by Lead Agency Signed by Applicant

Authority cited: Sections 21083 and 21110, Public Resources Code.
Reference: Sections 21108, 21152, and 21152.1, Public Resources Code.

Date Received for filing at OPR: _____

East Bay Regional Park District

IRON HORSE TRAIL LOWER WALNUT CREEK CHANNEL, IMHOFF DRIVE CONNECTION CEQA EXEMPTION

May 2026 | CEQA Exemption



May 2026 | CEQA Exemption

IRON HORSE TRAIL LOWER WALNUT CREEK CHANNEL, IMHOFF DRIVE CONNECTION CEQA EXEMPTION

East Bay Regional Park District

Prepared for:

East Bay Regional Park District
Contact: Rourke Healey, Trail Planner
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Oakland, California 94605

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1. INTRODUCTION

Article 19 (Categorical Exemptions) of the California Environmental Quality Act (CEQA) Guidelines includes a list of classes of projects that have been determined not to have a significant effect on the environment and, as a result, are exempt from review under CEQA.

This document describes how the proposed project qualifies for a Class 1 CEQA Exemption pursuant to CEQA Guidelines, Section 15301 (Existing Facilities), which consists 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 proposed project would also qualify for a Class 4 CEQA Exemption pursuant to CEQA Guidelines, Section 15304 (Minor Alterations to Land), which consist of minor public or private alterations in the condition of land, water, and/or vegetation that do not involve removal of healthy, mature, scenic trees except for forestry or agricultural purposes.

In addition, this document demonstrates that none of the exceptions to categorical exemptions apply pursuant to CEQA Guidelines, Section 15300.2 (Exceptions), which include the following:

(a) the project is not located within a sensitive environment;
(b) there would be no cumulative impacts;
(c) there would be no significant effects on the environment due to an unusual circumstance;
(d) there would be no impacts to a scenic highway;
(e) the project site is not located on a hazardous waste site; and
(f) there would be no impacts to historical resources.

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2. PROJECT DESCRIPTION

2.1 PROJECT LOCATION

East Bay Regional Park District (District) proposes to extend the existing Iron Horse Regional Trail from its current terminus at Marsh Drive north to Imhoff Drive primarily following the existing access road for the Contra Costa County Flood Control and Water Conservation District along the west side of Lower Walnut Creek within unincorporated Contra Costa County (proposed project).[1]

The proposed project begins within the city of Concord near its northwestern boundary, within County District 4, and continues north into District 5 within unincorporated Contra Costa County (Figure 1, *Regional Vicinity Map*, and Figure 2, *Aerial Map*). The trail would be constructed along the western bank of Walnut Creek within the Contra Costa County Flood Control and Water Conservation District's Walnut Creek Channel properties, except for the portion of the creek channel that passes under the State of California's State Route 4 property.

2.2 EXISTING SITE CONDITIONS

The project site includes the existing trail alignment along Walnut Creek, which was constructed by the United States Army Corps of Engineers (USACE) and is maintained by the Contra Costa County Flood Control District (FCD). The existing alignment is generally made up of compact dirt and gravel with some low-lying vegetation. This portion of the alignment is currently only used for maintenance access by FCD vehicles.

2.3 PROPOSED PROJECT

The proposed project would extend the Iron Horse Regional Trail, an approximately 32-mile multiuse trail that follows the Southern Pacific Railroad right-of-way from the City of Dublin north to the City of Concord, from its current terminus at Marsh Drive approximately 1,500 feet north to Imhoff Drive primarily following the existing access road for the FCD along the west side of Lower Walnut Creek. The proposed project would pave the existing compact dirt and gravel access road to match the conditions on the rest of the Iron Horse Regional Trail.

[1] When completed, the Iron Horse Regional Trail will span the distance from Livermore in Alameda County to Suisun Bay in Contra Costa County, a distance of over 55 miles connecting two counties and nine communities.

As shown in Figure 3, *Overview*, the proposed project would include three trail under-crossings at Marsh Drive, State Route (SR-) 4 (Walnut Creek Bridge), and Imhoff Drive. As shown in Figures 4a through Figure 4c, *Site Plan A, Site Plan B, and Site Plan C*, the trail would be 10 to 12 feet wide and consist of hot mix asphalt (HMA) Type A over aggregate base[2] over concrete.

The Biological Assessment prepared for the proposed project defines the action area as the area encompassing the limits of work where ground disturbance and surface modifications would occur, plus a buffer where construction-related disturbance such as noise and vibration could interrupt normal behavior of wildlife in the vicinity (Environmental Collaborative 2026a). The limits of work are shown in Figure 2, *Aerial Map*.

2.3.1 Grading and Clearing

As part of the proposed project, the proposed alignment would be cleared and grubbed. As shown in Figure 5, *Demolition Plan*, the undercrossing for Marsh Drive would remove riprap.

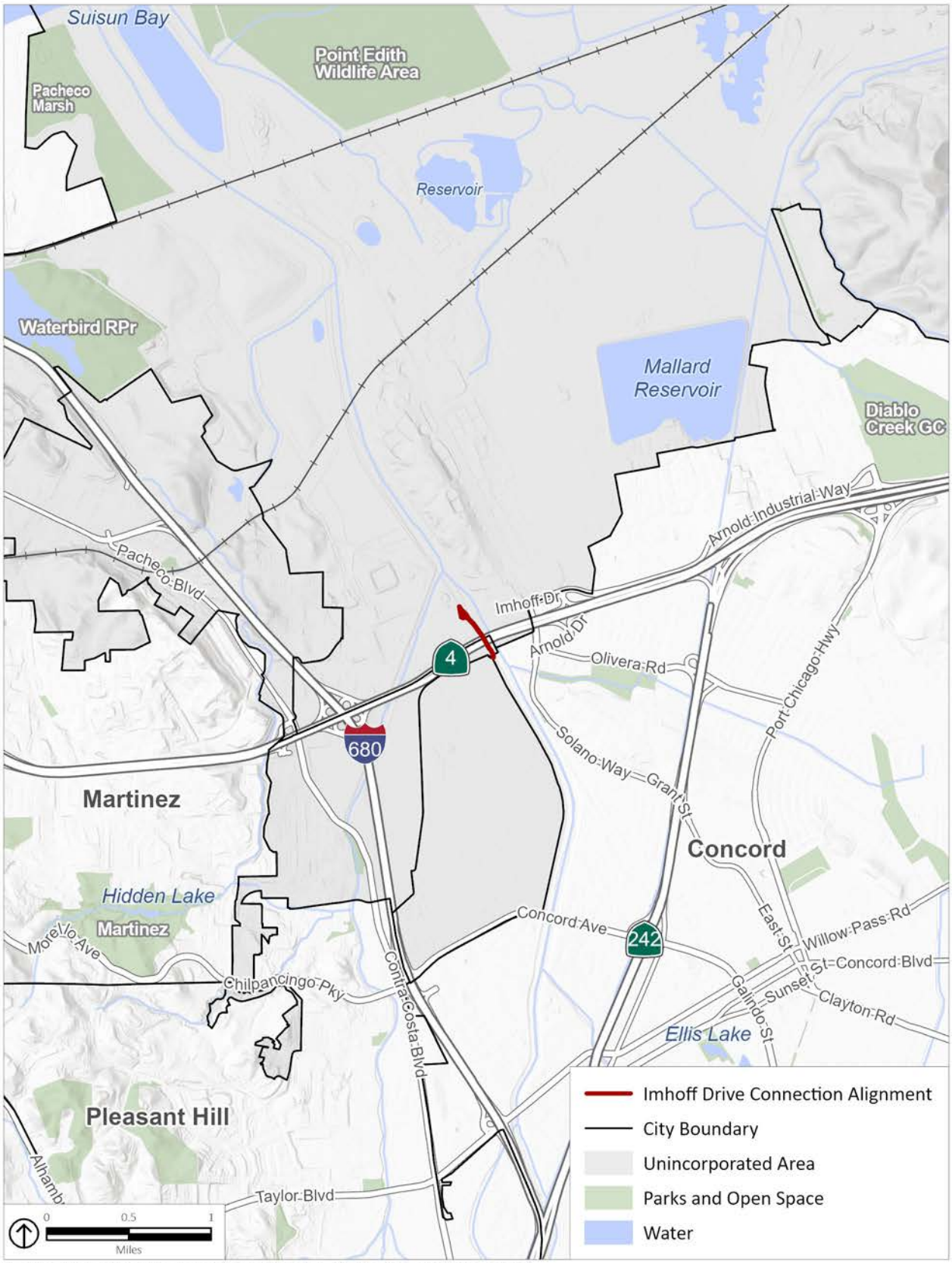
2.3.2 Street Connections

As shown in Figure 4a, *Site Plan A*, the proposed project would add at-grade street connections at Imhoff Drive from the north and south. Each connection at Imhoff Drive would include a gate, and the connection on the south side of Imhoff Drive would feed into the existing bike lane. No improvements would be made to Imhoff Drive as part of the proposed project.

As shown in Figure 4b, *Site Plan B*, the proposed project would include an undercrossing at SR-4 under an existing overcrossing that would be composed of HMA. There would be approximately 20 feet of vertical clearance between the trail and the undercrossing.

As shown on Figure 4c, *Site Plan C*, after crossing under Marsh Drive, the proposed project would connect to the existing Iron Horse Trail at its northern terminus on the southeastern side of the Marsh Drive bridge via a Flood Control District service road. Traveling eastbound from this connection, there is a sidewalk on southern side of Marsh Drive bridge that would connect the new trail to the existing Iron Horse trail on the East side of Walnut Creek. No improvements would be made to Marsh Drive as part of the proposed project.

[2] Aggregate base is a blend of crushed rock, gravel, sand, and fines that compacts well and provides a solid base for overlying layers like asphalt or concrete.



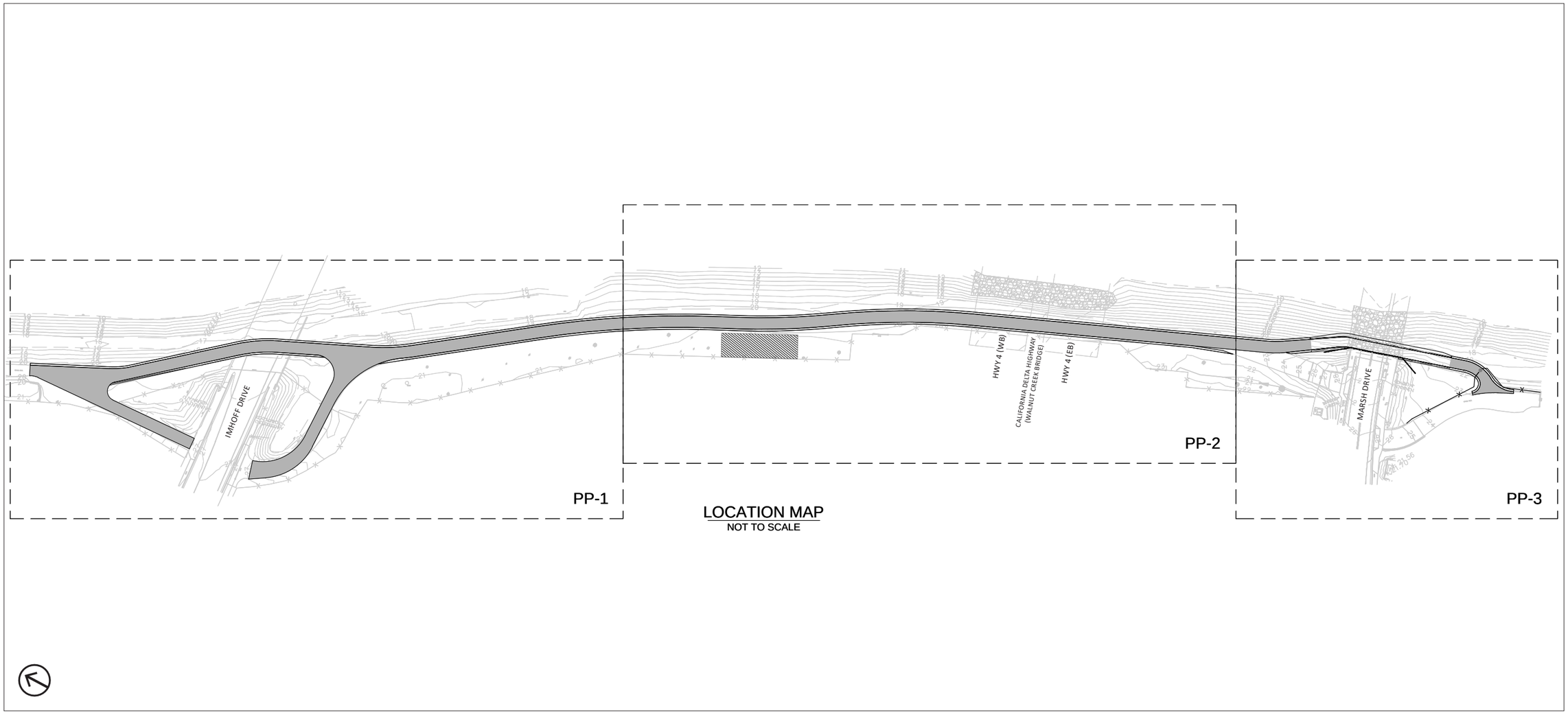
Source: (East Bay Regional Park District, 2025; PlaceWorks, 2025)

Figure 1
Regional Vicinity



Source: Nearmap 2026; BKF 2026.

Figure 2
Aerial

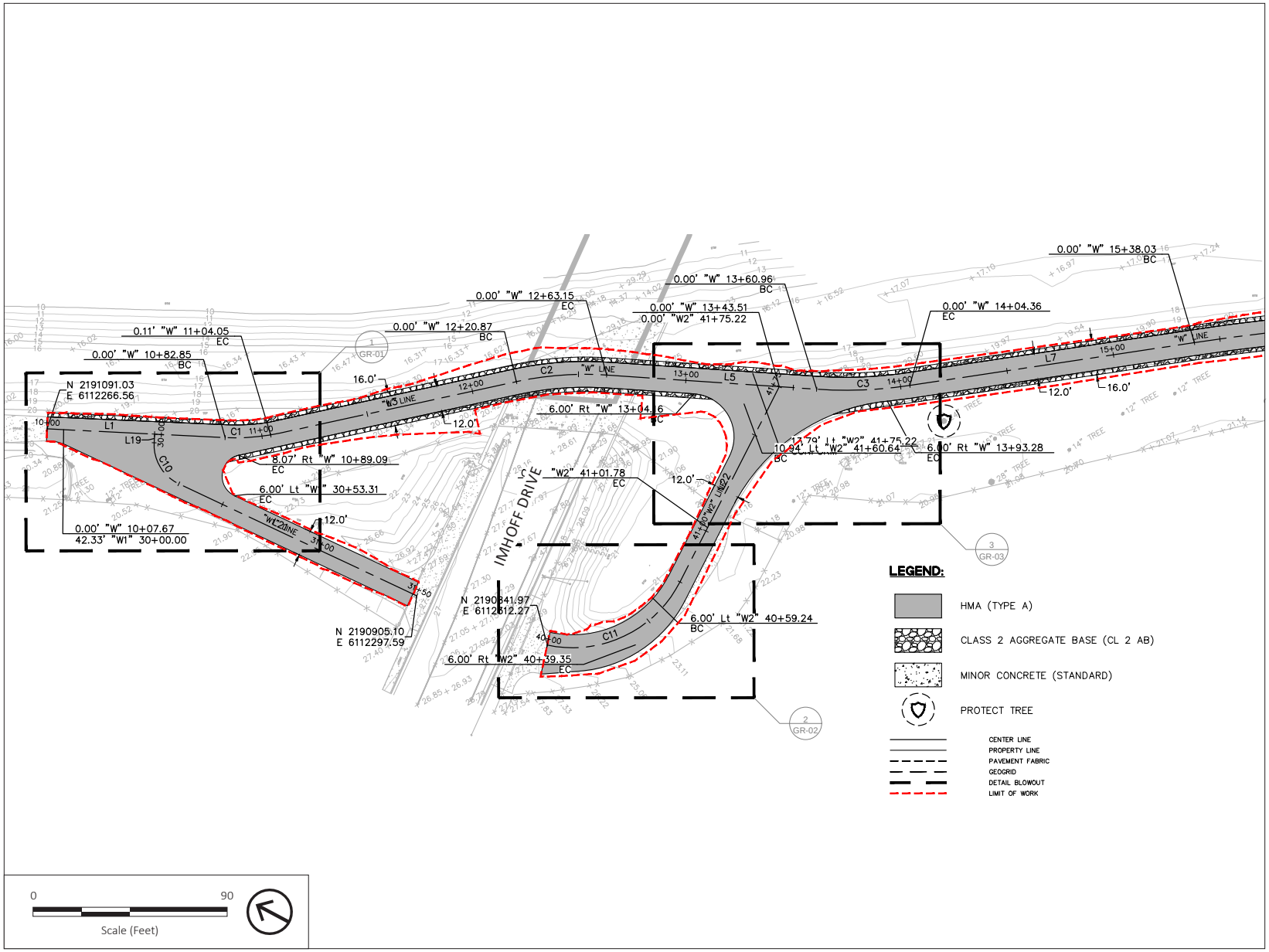


Source: BKF Engineers.

Figure 3
Overview

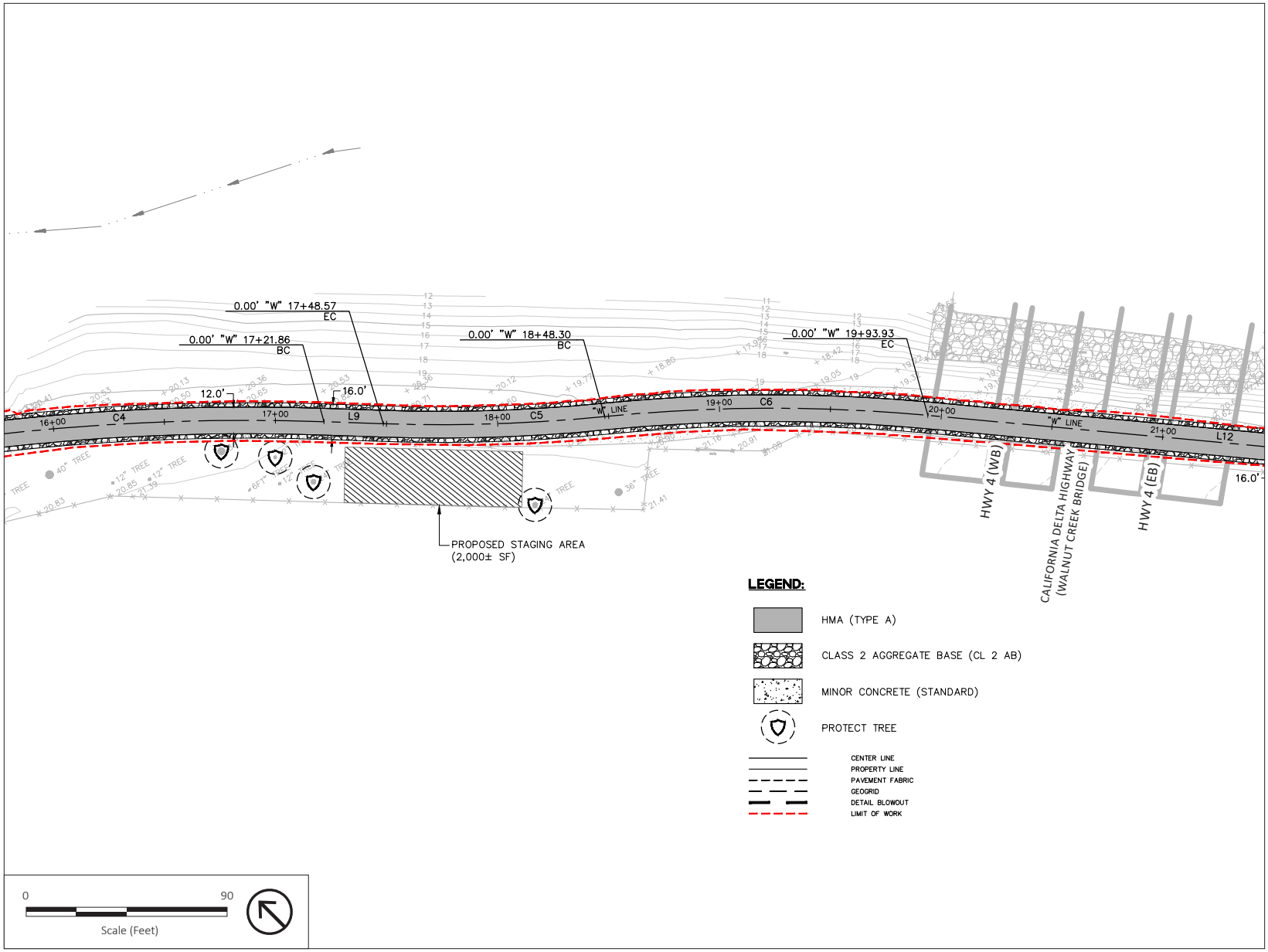
2. PROJECT DESCRIPTION

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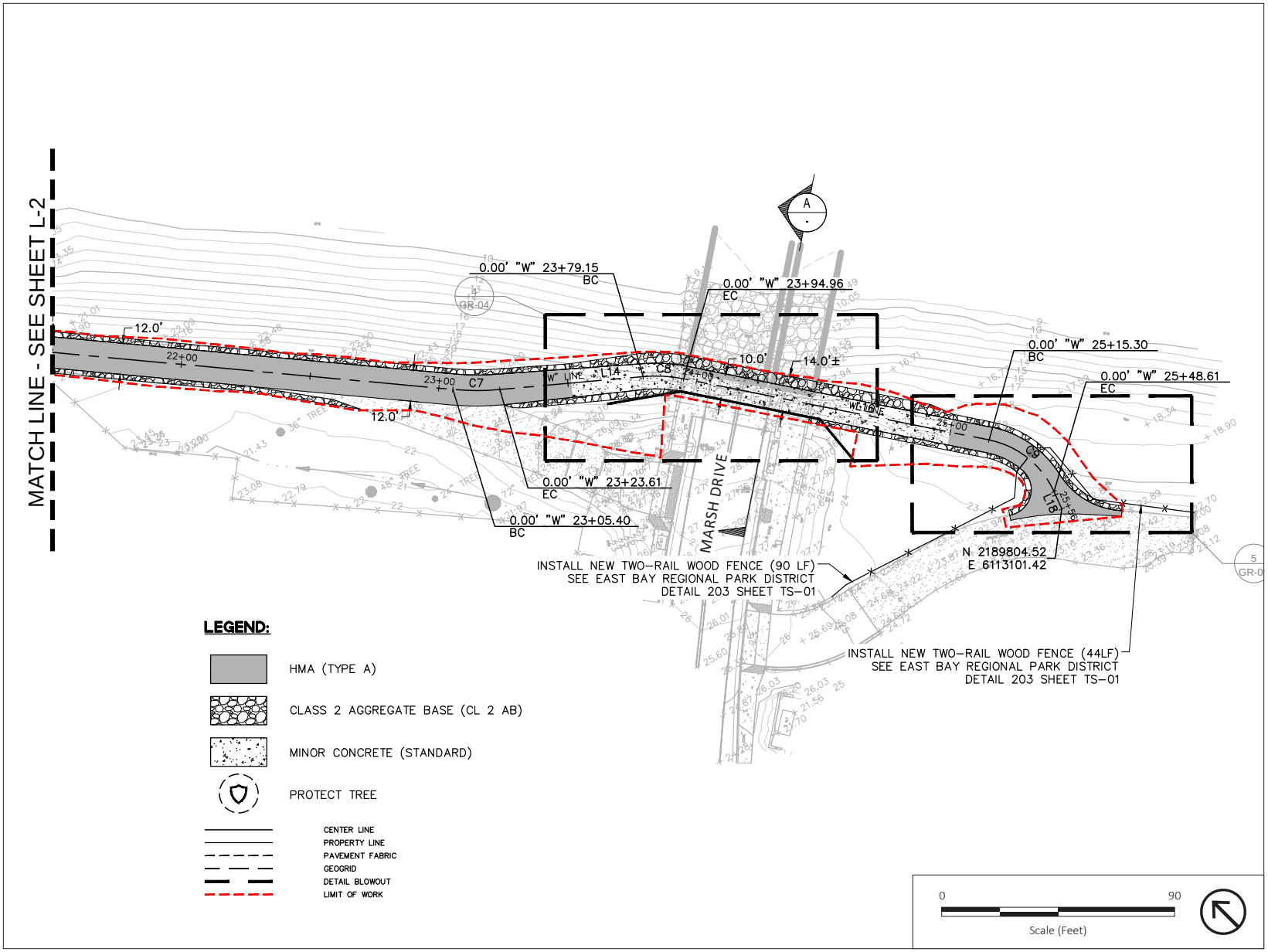
Source: BKF Engineers.

Figure 4a
Site Plan A



Source: BKF Engineers.

Figure 4b
Site Plan B



Source: BKF Engineers.

Figure 4c
Site Plan C



Source: BKF Engineers.

Figure 5
Demolition Plan

2.3.3 Project Control Features

The District will incorporate the following standard avoidance and minimization measures into the project. These standard avoidance and minimization measures will be implemented prior to and during construction, as applicable. These features shall be required and shall be listed on construction documents.

- **Worker Training and Construction Monitoring.** Appropriate measures shall be taken to minimize impacts on cultural resources, regulated waters, and to prevent inadvertent take of special-status wildlife during construction. This shall include the following:
  - Prior to initiation of construction, a tribal representative, qualified archaeologist, and a qualified biologist shall be retained to train workers over the regulations related to cultural resources, regulated waters and special-status species, and the possible risk of inadvertent take of federally listed species. The qualified archaeologist shall be someone who meets, or is supervised by, the Secretary of the Interior qualifications for archaeology and is knowledgeable about the cultural resources known to occur within the region and the regulations protecting cultural resources. The qualified biologist is someone knowledgeable about the biology and regulations regarding protected species and jurisdictional waters known or suspected to occur in or adjacent to the site, including western pond turtle (*Actinemys marmorata*).
  - The qualified biologist shall conduct preconstruction surveys for nesting birds and federally protected species in the vicinity of the construction zone.
  - The worker training shall be conducted prior to starting work on the project and upon the arrival of any new worker. The training program shall include a description of the types of cultural resources that could be encountered and how such resources are protected under State and federal law, what procedures to follow in the event cultural resources and/or Native American human remains are identified during the project, protected species and their habitat needs, any known occurrences in the project vicinity, an explanation of the status of these species and their protection under State and federal legislation, a description of regulated waters and need to follow all regulatory authorizations, a list of measures being taken to avoid and minimize impacts to cultural resources and protected species during the work, and procedures to follow if a protected species is suspected in the work area.
  - Fact sheets containing the information presented during the worker training program shall be provided to the Project Foreman and shall be kept on-site for the duration of construction.
  - The qualified biologist shall train the Project Foreman to serve as an Environmental Monitor, making sure workers are following all required controls, inspecting the silt fence that serves as a barrier that isolates the construction zone from the habitat associated with Lower Walnut Creek and ensuring it remains in place for the duration of construction to prevent wildlife access into the construction zone and indirect effects on

the aquatic habitat of Lower Walnut Creek. The qualified biologist shall monitor installation of the silt fence, which shall be installed before any grading.

- If excavations are not backfilled on the same day as excavation, they shall be covered to prevent small animals from falling in. If a trench or excavation cannot be covered, they shall be provided with exit ramps suitable for small mammals to escape on their own.
- A record of all personnel trained during the project shall be maintained for compliance verification.

- **Preconstruction Surveys.** Prior to any construction disturbance, the qualified biologist shall conduct preconstruction surveys to confirm absence of any federally protected species on the project site, including western pond turtle. The preconstruction survey shall be conducted in advance of any vegetation removal or grading to ensure that individual focal species have not dispersed onto the project site. If any federally protected species are encountered in the Action Area, the United States Fish and Wildlife Service (USFWS) and California Department of Fish and Wildlife (CDFW) shall be notified in accordance with Project Control Feature "Construction Restrictions" and appropriate controls implemented to minimize any potential for inadvertent take.

- **Nest Avoidance.** Adequate measures shall be taken to avoid inadvertent take of bird nests protected under the federal Migratory Bird Treaty Act and State Fish and Game Code when in active use. This shall be accomplished by taking the following steps.
  - If construction is initiated during the nesting season (February 1 to August 31), including staging and preparation for construction, a focused survey for native nesting birds shall be conducted by a qualified biologist within seven days prior to the onset of construction to determine whether any active nests are present in the construction and surrounding area within 100 feet of proposed construction for passerines and 500 feet for raptors. The survey shall be conducted again any time construction has been delayed or curtailed for more than seven days during the nesting season.
  - If no active nests are identified during the construction survey period, or activities are initiated during the non-breeding season (September 1 to January 31), construction may proceed with no nest-related restrictions.
  - If bird nests are found, an adequate setback or buffer shall be established around the nest location and construction activities shall be restricted within this no-disturbance zone until the qualified biologist has confirmed that any young birds have fledged and are able to function outside the nest location. Required setback distances for the no-disturbance zone shall be based on input received from the CDFW, and the setback may vary depending on species and sensitivity to disturbance. The no-disturbance zone shall be fenced or flagged as necessary to avoid incursion if construction is to be initiated elsewhere on the site during the nesting season.

  - A report of findings shall be prepared by the qualified biologist and submitted to the District for review and approval prior to initiation of construction during the nesting season (February 1 to August 31). The report shall either confirm absence of any active nests or should confirm that any young are within a designated no-disturbance zone and construction can proceed. No report of findings is required if construction is initiated during the non-nesting season (September 1 to January 31) and continues uninterrupted according to the above criteria.

- **Cultural resources avoidance**. No known cultural resources are within the project footprint. If cultural resources are identified during project-related activities, work within 100-foot buffer of the find shall cease until a qualified archaeologist can evaluate the find. At the discretion of the CEQA lead agency, a tribal representative from a California Native American Tribe on the Native American Heritage Commission list for the project, may be retained to consult on the find. If the find is recommended to be a historical resource, contingency funding and a time allotment sufficient to allow implementation of avoidance measures or appropriate mitigation would be made available. The archaeological consultant, CEQA lead agency, and tribal representative (as applicable) would consult on appropriate minimization and/or mitigation measures. In the event human remains are identified during project-related activities, all work within 100-feet of the find shall cease. The Contra Costa County coroner shall be contacted. If the coroner determines the remains to be Native American, the coroner shall contact the Native American Heritage Commission within 24-hours. The Native American Heritage Commission shall identify the person or persons it believes to be the most likely descendent from the deceased Native American. The most likely descendant may make recommendations to the landowner or the person responsible for the excavation work, for means of treating or disposing of, with appropriate dignity, the human remains and any associated grave goods as provided in Public Resources Code Section 5097.98. No photographs, drawings, or images of either Native American cultural resources or remains shall be taken and/or distributed without permission of the Tribal representative and/or the person or persons identified as the most likely descendent.

- **Implementation of Best Management Practices.** A Pollution Prevention Plan and erosion control best management practices (BMPs) shall be developed and implemented to minimize wind or water-related erosion during construction. The District will include provisions in construction contracts that specify project control features to protect sensitive areas and wildlife. Protective measures shall include, at a minimum:
  - No discharge of pollutants from vehicle and equipment cleaning is allowed into any storm drains or water courses.
  - Vehicle and equipment fueling, and maintenance operations must be at least 50 feet away from the channel (water courses). Concrete wastes are collected in washouts and water from curing operations is collected and disposed of and not allowed into water courses.

- **Construction Restrictions.** The following restrictions shall be implemented to avoid adversely affecting sensitive habitats and harm or harassment to wildlife during construction:
  - All in-channel construction activities involving equipment operation shall occur from June 1 through October 31 when surface water flows are lowest and potential for presence by aquatic species is lowest.
  - All construction activities shall be restricted within the silt fence installed prior to any grading under the supervision of the qualified biologist as called for in project control feature "Worker Training and Construction Monitoring."
  - All food and food-related trash items shall be enclosed in sealed trash containers and removed completely from the site at the end of each day.
  - No pets from project personnel shall be allowed anywhere at the site during construction.
  - Work hours shall be limited to half an hour after sunrise to half an hour prior to sunset. Night work shall be avoided to the maximum extent feasible and shall only be performed with the qualified biologist present.
  - All equipment shall be maintained such that there shall be no leaks of automotive fluids, such as gasoline, oils, or solvents. Hazardous materials, such as fuels, oils, solvents, etc., shall be stored in sealable containers in a designated location that is at least 100 feet from the creek channel and aquatic habitats.
  - All pipes, hoses, or similar structures less than 12 inches in diameter shall be closed to prevent animal entry or shall be stored in the designated staging area that has been inspected by the qualified biologist and secured with wildlife exclusion fencing. All construction pipes or similar structures greater than two inches in diameter stored at the site overnight shall be inspected for wildlife before the pipe or similar structure is buried, capped, used, or moved.
  - Servicing of vehicles and construction equipment including fueling, cleaning, and maintenance shall occur at designated locations away from regulated waters and other sensitive habitats. Staging areas may occur closer to the project activities, as required.
  - The qualified biologist shall be notified immediately by the contractor if any federally protected species are observed, injured, killed, or entrapped, and all work shall stop in the vicinity. The qualified biologist shall verify if any federally listed species are encountered during construction, all construction shall stop, and the National Marine Fisheries Service (NMFS), USFWS, and CDFW shall be consulted and a plan to ensure no inadvertent take shall be defined in advance of proceeding.
  - The NMFS, USFWS, and CDFW shall be contacted within 24 hours if any confirmed Central California Coast steelhead ESU or other State and/or federally listed species are killed, injured, or entrapped.

- **Proper Use of Erosion-Control Devices**. Only natural fibers such as jute, coconut, twine, or other similar fibers shall be used for erosion control to prevent species from becoming entangled, trapped, or injured, in erosion-control materials that use plastic or synthetic monofilament netting.

- **Obtaining Agency Authorizations.** If necessary, the District shall obtain required authorizations from the USACE, a notice of intent to comply with Water Quality Orders from the San Francisco Regional Water Quality Control Board, and CDFW for modifications to regulated waters on the site. This includes a Section 408 Permit from the USACE and a Streambed Alteration Agreement from the CDFW. The District shall obtain all legally required permits or other authorizations from the NMFS, USFWS, and CDFW for the potential "take" of species protected under the Endangered Species Acts, if required. All conditions and measures contained in the regulatory agency authorizations shall be implemented as part of the project.

2.4 ANTICIPATED PERMITS AND APPROVALS

The anticipated permits and approvals required for the proposed project are provided below. This list is not exhaustive.

- Contra Costa County Flood Control District, encroachment permit, and easement
- SF Regional Water Quality Control Board, Notice of Applicability for Enrollment Under Terms of Water Quality Order No 2004-004 DWQ
- California Department of Fish and Wildlife, streambed alteration agreement
- United States Army Corps of Engineers, issuance of Section 408 permit for compliance with the Rivers and Harbors Act of 1899

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3. FINDINGS CONCERNING CEQA EXEMPTIONS

As stated in Chapter 1, *Introduction*, Article 19 (Section 15300 et seq.) of the CEQA Guidelines includes a list of classes of projects that have been determined not to have a significant effect on the environment and, as a result, are exempt from review under CEQA. This document has been prepared to serve as the basis for compliance with CEQA as it pertains to the proposed project, and to demonstrate that the proposed project qualifies for a Class 1 and Class 4 CEQA Exemption, consistent with the provisions of CEQA Guidelines Sections 15301, 15304, and 15300.2. Specifically, the information provided shows that:

- The proposed project qualifies for an exemption under CEQA Guidelines Section 15301 (Class 1: Existing Facilities) and, as a result, would not have a significant effect on the environment.
- The proposed project qualifies for an exemption under CEQA Guidelines Section 15304 (Class 4: Minor Alterations to Land) and, as a result, would not have a significant effect on the environment.
- No exceptions as identified in CEQA Guidelines Section 15300.2 apply to the proposed project.

3.1 SECTION 15301: EXISTING FACILITIES CONSISTENCY

The proposed project is consistent with a Class 1, Existing Facilities CEQA Exemption, as the proposed alignment is primarily along the existing access road for FCD. The access road is currently used for trucks and other vehicles. While the proposed project would formalize the access road as a Class II bike lane and is anticipated to increase the number of bicycles and pedestrians on the path, it would negligibly expand use compared to the existing conditions. Importantly, it would not create additional automobile lanes.

3.2 SECTION 15304: MINOR ALTERATIONS TO LAND

The proposed alignment is primarily along the existing access road for FCD. Therefore, the proposed project would formalize the access road as a Class II bicycle lane, which would only require minor alterations to land and would not require the removal of healthy, mature, or scenic trees.

3.3 REVIEW OF EXCEPTIONS TO THE CATEGORICAL EXEMPTION

This section assesses whether any of the exceptions to categorical exemptions identified in CEQA Guidelines Section 15300.2, Exceptions, apply to the proposed project.

3.3.1 Section 15300.2(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. Therefore, these classes are considered to apply to all instances, except where the project may impact an environmental resource of hazardous or critical concern where designated, precisely mapped, and officially adopted pursuant to law by federal, state, or local agencies.

As described in the Biological Assessment prepared for the proposed project, one federally protected animal species under the jurisdiction of USFWS has at least a remote potential for occurrence in the vicinity of the project site; however, the project site contains no permanent habitat for this species (Environmental Collaborative 2026a). Additionally, project control features would be in place that would confirm no western pond turtle or other federally protected species are present within the project site prior to construction. With the control features in place, the proposed project would not impact biological resources. A routine wetland delineation was conducted to characterize vegetation, soils, and hydrology in the project site. Based on the results of the routine wetland delineation, potential federal jurisdictional waters are absent from the project site and action area (Environmental Collaborative 2026b). Modifications below the top of bank would be required at the Marsh Drive undercrossing, but this area has been extensively altered as part of the recent Marsh Drive bridge replacement and no native vegetation or riparian habitat would be disturbed. In addition, the proposed project would not result in any impacts on an environmental resource of hazardous or critical concern. Therefore, the exception under CEQA Guidelines Section 15300.2(a) does not apply to the proposed project.

3.3.2 Section 15300.2(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.

“Cumulative impacts” refers to two or more individual impacts that, when considered together, are considerable, or that compound or increase other environmental impacts (CEQA Guidelines Section 15355). Cumulative impacts can result from individually minor but collectively significant impacts taking place over time (40 Code of Federal Regulations [CFR] 1508.7). Per CEQA, a cumulative analysis evaluates whether potential exists for a proposed project, taken

together with other past, present, and reasonably foreseeable future projects, would result in a significant of adverse cumulative impact. There are no projects planned within the vicinity of the proposed project. The proposed alignment is along an existing access road that is used for trucks and other vehicles, which produce emissions and emit noise. The proposed project would not result in significant impacts pertaining to traffic, noise, greenhouse gas (GHG) emissions, air quality, or water quality, that would be cumulatively considerable. The proposed project is near three existing roadways, Marsh Drive to the south, SR-4 spanning from west to east across the project site, and Imhoff Drive to the north, that currently emit noise and air quality emissions. Because the proposed project would formalize the access road as a Class II bike lane, it is anticipated to increase the number of bicycles and pedestrians on the path, but this is not the type of use that would result in an increase in noise or air quality emissions above what is currently produced by the three roadways. Therefore, there would be no cumulative impacts to air quality. Additionally, because the proposed project would increase bicycle and pedestrian transit in the area, the proposed project would not result in an increase in vehicle miles traveled, and could reduce such trips. Therefore, GHG would not increase, and the proposed project would not result in a cumulative impact with respect to an increase in GHG emissions.

For noise impacts, sensitive receptors can include residences, schools, motels and hotels, libraries, religious institutions, hospitals, and nursing homes. The nearest sensitive receptor to the proposed project is a residential area approximately 0.4 miles southeast of the project site. Due to the distance to the nearest sensitive receptor, construction noise would diminish before sensitive receptors are reached and would not result in noise greater than that already caused by existing roadway traffic. Additionally, construction effects would be temporary, confined to the project vicinity, and reduced to the extent feasible by implementing applicable regulatory requirements.

The proposed project would not result in a cumulative impact. Therefore, the exception under CEQA Guidelines Section 15300.2(b) does not apply to the proposed project.

3.3.3 Section 15300.2(c): Significant Effect

A categorical exemption shall not be used for an activity where there is a reasonable possibility that the activity will have a significant effect on the environment due to unusual circumstances.

The proposed project includes the extension of an existing trail along an access road that is currently used for trucks and other vehicles. While the proposed project would formalize the access road as a Class II bike lane, and is anticipated to increase the number of bicycles and pedestrians on the path, it would not result in an expansion of use compared to the existing use or change the use in a way that would result in a significant effect on the environment. The proposed project also includes project control features as described previously that would protect biological resources. Project construction and operation would not cause any unusual circumstances resulting in significant environmental impacts. Therefore, the exception under CEQA Guidelines Section 15003.2(c) does not apply to the proposed project.

3.3.4 Section 15300.2(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. This does not apply to improvements which are required as mitigation by an adopted negative declaration or certified environmental impact report (EIR).

The proposed project would not damage a scenic resource in a designated State-designated scenic highway. The closest officially designated State scenic highways are SR-24, 7.15 miles southwest of the project site, and Interstate 680 (I-680), 7.43 miles southeast of the project site (Caltrans 2025). Based on the distance from the State-designated scenic highways and topography of the area, the project site is not visible from the closest sections of SR-24 nor I-680. Thus, no scenic resources within view of a State Scenic Highway would be altered as part of the proposed project, and the exception under CEQA Guidelines Section 15003.2(d) does not apply to the proposed project.

3.3.5 Section 15300.2(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.

California Government Code Section 65962.5 requires the California Environmental Protection Agency (CalEPA) to compile, maintain, and update specified lists of hazardous release sites. CEQA requires the lead agency to consult the lists compiled pursuant to Government Code Section 65962.5. The required lists of hazardous material release sites are commonly referred to as the "Cortese List" named after the legislator who authored the legislation.

The project site is not listed on the following databases reporting to the Environmental Protection Agency (EPA), compiled by CalEPA to meet Cortese List requirements.

- GeoTracker. State Water Resources Control Board (SWRCB 2025)
- EnviroStor. Department of Toxic Substances Control (DTSC 2025a)
- EJScreen. US Environmental Protection Agency (USEPA 2025a)
- EnviroMapper. US Environmental Protection Agency (USEPA 2025b)
- Solid Waste Information System. California Department of Resources Recycling and Recovery (CalRecycle 2025)
- Cortese List. Department of Toxic Substances Control. (DTSC 2025b).

Therefore, the exception under CEQA Guidelines Section 15300.2(e) does not apply to the proposed project.

3.3.6 Section 15300.2(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.

The project site is not listed on the National Register of Historic Places, California Register of Historical Resources, nor is it designated as a California Historical Landmark or California Point of Historical Interest (NPS 2025; CSP 2025). Therefore, the proposed project would not cause significant impacts to historical resources, and the exception under CEQA Guidelines Section 15300.2(f) does not apply to the proposed project.

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4. CONCLUSION

As discussed in Chapter 3, *Findings Concerning CEQA Exemptions*, the proposed project meets the criteria for categorical exemptions using Class 1, Existing Facilities, and Class 4, Minor Alterations to Land, in CEQA Guidelines Sections 15301 and 15304, respectively. Additionally, as explained in Section 3.3, *Review of Exceptions to the Categorical Exemption*, none of the exceptions to the categorical exemptions in CEQA Guidelines Section 15300.2 apply, and the proposed project would not have a significant effect on the environment.

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