

2019058208

**Notice of Exemption****Appendix E**

**To:** Office of Planning and Research  
 P.O. Box 3044, Room 113  
 Sacramento, CA 95812-3044  
 County Clerk  
 County of: Calaveras

**From:** (Public Agency) Caltrans, Dist. 10  
1976 E. Dr. Martin Luther King Jr. Blvd.  
Stockton CA 95205

Project Title: 1K260: Calaveras Culvert Replacements

Project Applicant: California Department of Transportation

**Project Location - Specific:**

The project is located on State Route (SR) 49 at post miles 6.71, 9.70, 9.71, and 9.79, within Calaveras County.

Project Location - City: Angels Camp

Project Location - County: CAL

**Description of Nature, Purpose and Beneficiaries of Project:**

The California Department of Transportation (Caltrans) proposes a Highway Maintenance project to replace four (4) culverts along State Route (SR) 49 at post miles 6.71, 9.70, 9.71, and 9.79 in Calaveras County. The scope of work includes saw cutting and excavating the roadway to remove the culverts, installing the new culverts, and repaving the affected area of pavement. Culverts will be replaced by open trenching. All work will occur within existing Caltrans Right of Way (ROW). The purpose of this project is to replace the damaged and failing culverts. The project is needed to extend the service life of SR -49 and ensure motorist safety over these drainages.

Name of Public Agency Approving Project: California Department of Transportation

Name of Person or Agency Carrying Out Project: California Department of Transportation

**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: Existing Facilities section 15301

☐ Statutory Exemption. State code number: \_\_\_\_\_

**Reason why project is exempt:**

The project will not affect any sensitive species or their habitat, any cultural or scenic resources, or any other environmentally sensitive resources.

**Lead Agency**

Contact Person: Elizabeth Hummel

Area Code/Telephone/Extension: 209-948-3825

**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: 

Date: 5/6/19

Title: Environmental 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

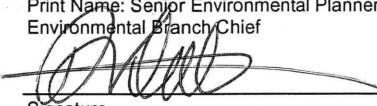

Governor's Office of Planning & Research

**MAY 10 2019**

Revised 2011

**STATE CLEARINGHOUSE**

CATEGORICAL EXEMPTION/CATEGORICAL EXCLUSION DETERMINATION FORM

<b>10-CAL-49</b>	<b>6.71/9.79</b>	<b>1K260/1019000083</b>	
Dist.-Co.-Rte. (or Local Agency)	P.M./P.M.	E.A/Project No.	Federal-Aid Project No. (Local Project)/Project No.
<b>PROJECT DESCRIPTION:</b> (Briefly describe project including need, purpose, location, limits, right-of-way requirements, and activities involved in this box. Use Continuation Sheet, if necessary.)			
<p>The California Department of Transportation (Caltrans) proposes a Highway Maintenance project to replace four (4) culverts along State Route (SR) 49 at post miles 6.71, 9.70, 9.71, and 9.79 in Calaveras County. The scope of work includes saw cutting and excavating the roadway to remove the culverts, installing the new culverts, and repaving the affected area of pavement. Culverts will be replaced by open trenching. All work will occur within existing Caltrans Right of Way (ROW). The purpose of this project is to replace the damaged and failing culverts. The project is needed to extend the service life of SR-49 and ensure motorist safety over these drainages.</p>			
<b>CALTRANS CEQA DETERMINATION</b> (Check one)			
<input type="checkbox"/> Not Applicable – Caltrans is not the CEQA Lead Agency		<input type="checkbox"/> Not Applicable – Caltrans has prepared an Initial Study or Environmental Impact Report under CEQA	
Based on an examination of this proposal, supporting information, and the above statements, the project is:			
<input type="checkbox"/> Exempt by Statute. (PRC 21080[b]; 14 CCR 15260 et seq.)			
<input checked="" type="checkbox"/> <b>Categorically Exempt. Class 1.</b> (PRC 21084; 14 CCR 15300 et seq.)			
Based on an examination of this proposal and supporting information, the following statements are true and exceptions do not apply:			
<ul style="list-style-type: none"> <li>• If this project falls within exempt class 3, 4, 5, 6 or 11, it does not impact an environmental resource of hazardous or critical concern where designated, precisely mapped, and officially adopted pursuant to law.</li> <li>• There will not be a significant cumulative effect by this project and successive projects of the same type in the same place, over time.</li> <li>• There is not a reasonable possibility that the project will have a significant effect on the environment due to unusual circumstances.</li> <li>• This project does not damage a scenic resource within an officially designated state scenic highway.</li> <li>• This project is not located on a site included on any list compiled pursuant to Govt. Code § 65962.5 ("Cortese List").</li> <li>• This project does not cause a substantial adverse change in the significance of a historical resource.</li> </ul>			
<input type="checkbox"/> <b>Common Sense Exemption.</b> [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].)]			
<b>Dominic Vitali</b> Print Name: Senior Environmental Planner or Environmental Branch Chief  Signature		<b>Jason Miller</b> Print Name: Project Manager  Signature	
4/30/19 Date		5/3/19 Date	
<b>NEPA COMPLIANCE</b>			
In accordance with 23 CFR 771.117, and based on an examination of this proposal and supporting information, the State has determined that this project:			
<ul style="list-style-type: none"> <li>• does not individually or cumulatively have a significant impact on the environment as defined by NEPA, and is excluded from the requirements to prepare an Environmental Assessment (EA) or Environmental Impact Statement (EIS), and</li> <li>• has considered unusual circumstances pursuant to 23 CFR 771.117(b).</li> </ul>			
<b>CALTRANS NEPA DETERMINATION</b> (Check one)			
<input type="checkbox"/> <b>23 USC 326:</b> The State has determined that this project has no significant impacts on the environment as defined by NEPA, and that there are no unusual circumstances as described in 23 CFR 771.117(b). As such, the project is categorically excluded from the requirements to prepare an EA or EIS under the National Environmental Policy Act. The State has been assigned, and hereby certifies that it has carried out the responsibility to make this determination pursuant to Chapter 3 of Title 23, United States Code, Section 326 and a Memorandum of Understanding dated May 31, 2016, executed between the FHWA and the State. The State has determined that the project is a Categorical Exclusion under: <ul style="list-style-type: none"> <li><input type="checkbox"/> 23 CFR 771.117(c): activity (c)( )</li> <li><input type="checkbox"/> 23 CFR 771.117(d): activity (d)( )</li> <li><input type="checkbox"/> Activity ___ listed in Appendix A of the MOU between FHWA and the State</li> </ul>			
<input type="checkbox"/> <b>23 USC 327:</b> Based on an examination of this proposal and supporting information, the State has determined that the project is a Categorical Exclusion under 23 USC 327. The environmental review, consultation and any other actions required by applicable Federal environmental laws for this project are being, or have been, carried out by Caltrans pursuant to 23 USC 327 and the Memorandum of Understanding dated December 23, 2016 and executed by FHWA and Caltrans.			
Print Name: Senior Environmental Planner or Environmental Branch Chief _____ Signature		Print Name: Project Manager/DLA Engineer _____ Signature	
_____ Date		_____ Date	
Date of Categorical Exclusion Checklist completion: N/A		Date of ECR or equivalent: 04/30/2019	

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

Not Applicable

Governor's Office of Planning & Research

MAY 10 2019

STATE CLEARINGHOUSE

# CATEGORICAL EXEMPTION/CATEGORICAL EXCLUSION DETERMINATION FORM

## Continuation Sheet

<b>10-CAL-49</b>	<b>6.71/9.79</b>	<b>1K260/1019000083</b>	
Dist.-Co.-Rte. (or Local Agency)	P.M./P.M.	E.A/Project No.	Federal-Aid Project No. (Local Project)/Project No.

Continued from page 1:

**General –**

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

**Cultural –**

- If cultural resources are discovered at the job site, do not disturb the resources and immediately:
  1. Stop all work within a 60-foot radius of the discovery
  2. Protect the discovery area
  3. Notify the Engineer
 The Department investigates. Do not move cultural materials or take them from the job site. Retain a qualified archeologist to assess the significance of the find. Do not resume work within the discovery area until authorized.
- If human remains are discovered, State Health and Safety Code Section 7050.5 states that further disturbances and activities shall cease in any area or nearby area suspected to overlie remains, and the County Coroner should be contacted. Pursuant to Public Resources Code Section 5097.98, if the remains are thought to be Native American, the coroner will notify the Native American Heritage Commission (NAHC) which will then notify the Most Likely Descendent (MLD). At that time, the landowner will work with the MLD on the respectful treatment and disposition of the remains. Further provisions of PRC 5097.98 are to be followed as applicable.

**Biology –**

- If construction occurs during migratory bird nesting season (February 1 – September 30), a preconstruction bird survey will be required within 14 days before the start of construction. Contact the Environmental office 1 month prior to the start of construction to schedule the survey. Include Caltrans Standard Special Provision (SSP) 14-6.03A in the contract. If an active nest is discovered, a 100-foot protective buffer will need to be established around it. If an active hawk nest is discovered, a 300-foot protective buffer will be required.
- All construction activities will be limited to when the culverts are dry. The dry season is from August 1 – October 15. Caltrans Standard Special Provision 10-1.03 shall be included in the contract to restrict construction activities to the dry season.

**Hazardous Waste –**

- Caltrans SSP 7-1.02K(6)(j)(iii) pertaining to earth material containing lead, shall be included in the contract.

**No permits required.**