

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: Kern

From: (Public Agency): California Dept. of Transportation
100 South Main St., Suite 100, Main Station 16A
Los Angeles, CA 90012

(Address)

Project Title: Solar Lighting Project

Project Applicant: California Department of Transportation

Project Location - Specific:

KERN-05, PM: 0.8

Project Location - City: Lebec

Project Location - County: Kern

Description of Nature, Purpose and Beneficiaries of Project:

The pilot project will install six solar lighting poles at the on/off ramps of the Lebec Rest Area. The light poles will be placed on both sides of the freeway.

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: 15301 Existing Facilities: Class 1(e)
- ☐ Statutory Exemptions. State code number: _____

Reasons why project is exempt:

Project is installing light poles next to existing light poles.

Lead Agency

Contact Person: Lillian Cai

Area Code/Telephone/Extension: 213-897-1184

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: Lillian Cai Date: 05/15/19 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

STATE CLEARINGHOUSE

CATEGORICAL EXEMPTION/CATEGORICAL EXCLUSION DETERMINATION FORM

07-KERN-05	0.8	33320	0716000301	CE#:201903011
Dist.-Co.-Rte. (or Local Agency)	P.M./P.M.	E.A/Project No.	Federal-Aid Project No. (Local Project)/Project No.	

PROJECT DESCRIPTION: (Briefly describe project including need, purpose, location, limits, right-of-way requirements, and activities involved in this box. Use Continuation Sheet, if necessary.)

Caltrans proposes a pilot project to test various types of solar panel at Lebec Rest Area on Interstate-5 post-mile (PM) 0.8 in Kern County. The proposed project will install six special design lighting poles at the on-ramps and off-ramps of the two rest areas on both sides of the freeway. The lighting poles will be placed next to existing light poles on the on and off-ramps of the rest area. Two lighting poles will be installed on the off-ramp and one lighting pole will be installed on the on-ramp in both northbound and southbound directions. Solar panels, battery packs, photovoltaic charging equipment, along with communication equipment will be attached to the pole. The special design pole foundation dimensions are anticipated to be between 2'-6" to 3'-6" in diameter, and 7' to 13' in depth. Temporary k-rails, for the duration of the pilot project, will also be placed in front of the six poles to protect it from car collisions. All work will be done within State's right-of-way.

CALTRANS CEQA DETERMINATION (Check one)

☐ Not Applicable – Caltrans is not the CEQA Lead Agency ☐ 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:

☐ Exempt by Statute. (PRC 21080[b]; 14 CCR 15260 et seq.)
☒ **Categorically Exempt Class 1.** (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:

- 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.
- There will not be a significant cumulative effect by this project and successive projects of the same type in the same place, over time.
- There is not a reasonable possibility that the project will have a significant effect on the environment due to unusual circumstances.
- This project does not damage a scenic resource within an officially designated state scenic highway.
- This project is not located on a site included on any list compiled pursuant to Govt. Code § 65962.5 ("Cortese List").
- This project does not cause a substantial adverse change in the significance of a historical resource.

☐ **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].)]

Susan Tse Koo

Print Name: Senior Environmental Planner or
Environmental Branch Chief

Susan Tse Koo

Signature

5/14/19

Date

Andy Liao

Print Name: Project Manager

Andy Liao

Signature

5/14/19

Date

NEPA COMPLIANCE

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:

- 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
- has considered unusual circumstances pursuant to 23 CFR 771.117(b).

CALTRANS NEPA DETERMINATION (Check one)

☒ **23 USC 326:** 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:

☒ 23 CFR 771.117(c): activity (c)(27)

☐ 23 CFR 771.117(d): activity (d)()

☐ Activity listed in Appendix A of the MOU between FHWA and the State

☐ **23 USC 327:** 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.

Susan Tse Koo

Print Name: Senior Environmental Planner or
Environmental Branch Chief

Susan Tse Koo

Signature

5/14/19

Date

Andy Liao

Print Name: Project Manager/DCA Engineer

Andy Liao

Signature

5/14/19

Date

Date of Categorical Exclusion Checklist completion: 5/14/2019

Date of ECR or equivalent: 4/30/2019

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

CATEGORICAL EXEMPTION/CATEGORICAL EXCLUSION DETERMINATION FORM

Continuation Sheet

07-KERN-05	0.8	33320	0716000301	CE#:201903011
Dist.-Co.-Rte. (or Local Agency)	P.M./P.M.	E.A/Project No.	Federal-Aid Project No. (Local Project)/Project No.	

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Hazardous Waste

- Due to the excavation of soil for the lighting poles (which needs disposal off-site), a detailed Aerially Deposited Lead (ADL) Site Investigation (SI) is required during the PS&E stage.

Cultural Resources

- If there are any changes to the proposed activities or if additional locations are added, an additional review by the cultural resources unit will be required.
- If previously unidentified cultural materials are unearthed during construction, work will be halted in that area until a qualified archaeologist can assess the significance of the find.

Biology

- The Division of Environmental Planning will be provided the Project Specifications & Expenditures Review Package for review and comments.
- The Project Biologist, Sean Herron (213) 897-8081, must be invited to the pre-construction meeting, with one week prior notice.
- No mature trees shall be removed.
- It is recommended that work occur outside of bird nesting season (bird nesting season is February 1st through September 1st) due to the proximity of native habitat that is suitable for nesting birds. If work is to occur within the bird nesting season, the District Biologist shall be notified two weeks prior to the start of construction to determine if nesting birds are present. In the event that nesting birds are observed, the Resident Engineer (RE) shall pause work until a qualified biologist has determined that fledglings have left the nest. If this is not possible, the RE shall coordinate with the District Biologist to minimize the risk of violating the Migratory Bird Treaty Act (MBTA). Most likely, the District Biologist will recommend a buffer of 150 ft. for songbirds and a buffer of 500 ft. for raptors during all phases of construction. Nesting birds are protected under the MBTA and cannot be impacted by construction activities, including but not limited to noise, dust pollution, and habitat disturbance.
- At no point will any construction equipment enter any drainages, creeks, or other waterways.
- Prior to the start of construction, all drain inlets must be protected with BMPs to prevent paint, cleaning materials, and other debris from entering drainage courses. Furthermore, all appropriate Stormwater and Erosion Control Best Management Practices (BMPs) shall be implemented as necessary to prevent any discharge to adjacent areas. All appropriate BMPs shall be incorporated into the project specifications.
- No asphalt grindings shall be used within 100 feet of any watercourse. Watercourse, for this purpose, is defined as any feature, either natural or man-made, which conveys water during any time of the year. The limitation on asphalt use near waterways is restricted to shoulder backing.
- All pollution and litter laws and regulations will be followed by the Contractor and all personnel on site.
- If this project scope should change for any reason, the Division of Environmental Planning will be notified to determine whether current environmental documentation is adequate.

Governor's Office of Planning & Research
MAY 20 2019
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