

## Notice of Exemption

2019058333

Appendix E

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

County Clerk

County of: \_\_\_\_\_

From: (Public Agency): Caltrans

703 B Street

Marysville, CA 95901

(Address)

Project Title: Motorcycle Curve

Project Applicant: California Department of Transportation

Project Location - Specific:

In the county of Sierra, on California route 49, at post miles 44.15- 44.4

Project Location - City: Sierraville

Project Location - County: Sierra

Description of Nature, Purpose and Beneficiaries of Project:

Improve the cross slope and widen shoulders in the sharp curve, overlay the roadway surface, place a barrier slab structure to avoid destabilizing the existing slope, and extend and clean an existing culvert at Turner's Point in Sierra County.

Name of Public Agency Approving Project: Caltrans

Name of Person or Agency Carrying Out Project: Caltrans

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: Class 2
- ☐ Statutory Exemptions. State code number: \_\_\_\_\_

Reasons why project is exempt:

The project is exempt because it proposes to reconstruct existing facilities on the same site as the structure replaced and will have substantially the same purpose and capacity as the structure replaced.

Lead Agency

Contact Person: Kelly McNally

Area Code/Telephone/Extension: 530-741-4134

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: Kelly McNally Date: 5/28/19 Title: Sr. 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 30 2019

STATE CLEARINGHOUSE

## CATEGORICAL EXEMPTION/CATEGORICAL EXCLUSION DETERMINATION FORM

<b>SIE- 49</b>	<b>44.15 / 44.4</b>	<b>03-3H400</b>	<b>0317000341</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.)			

Caltrans is planning a project on State Route 49, approximately 2.9 - 3.2 miles north of Yuba Pass Campground with the proposal to improve the cross slope and widen shoulders in the sharp curve, overlay the roadway surface, place a barrier slab structure to avoid destabilizing the existing slope, and extend and clean an existing culvert at Turner's Point in Sierra County.

**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 2.** (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].)]

**Kelly McNally**

Print Name: Senior Environmental Planner or  
Environmental Branch Chief

*Kelly McNally* 1-8-19  
Signature Date

**Jonathan Pray**

Print Name: Project Manager

*Rodney L. Mung* 1/18/19  
Signature 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.

**Kelly McNally**

Print Name: Senior Environmental Planner or  
Environmental Branch Chief

*Kelly McNally* 1-8-19  
Signature Date

**Jonathan Pray**

Print Name: Project Manager/DLA Engineer

*Rodney L. Mung* 1/18/19  
Signature Date

Date of Categorical Exclusion Checklist completion: 2/1/2019

Date of ECR or equivalent : 2/1/2019

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