

Notice of Exemption

2019068014

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): CA Dept of Transportation  
North Region Environmental  
1656 Union Street, Eureka, CA 95501  
(Address)

Project Title: Willow Creek Widen and Rumble

Project Applicant: CA Department of Transportation

Project Location - Specific:  
State Route 299 between post miles 34.6 and 37.7.

Project Location - City: near Willow Creek Project Location - County: Humboldt

Description of Nature, Purpose and Beneficiaries of Project:  
This safety project proposes to widen shoulders between post miles 34.6 and 37.7 on SR 299. The purpose of this project is to reduce the frequency and severity of collisions at these locations. Widening shoulders will allow for additional recovery room for motorists and a more traversable shoulder for bicyclists and pedestrians.

Name of Public Agency Approving Project: CA Department of Transportation

Name of Person or Agency Carrying Out Project: CA 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: Class 1
  - Statutory Exemptions. State code number: \_\_\_\_\_

Reasons why project is exempt:  
The project is exempt because there is not a reasonable possibility that the project will have a significant effect on the environment due to unusual circumstances, it does not damage a scenic resource, it is not located on the "Cortese List", there will not be significant adverse impact on endangered, rare, or threatened species or their habitat, and it does not cause a substantial adverse change in the significance of historical resources.

Lead Agency  
Contact Person: Laurel Osborn Area Code/Telephone/Extension: (707) 441-4599

- 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: Laurel Osborn Date: 5/7/19 Title: Assoc. Env. 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

JUN 05 2019  
STATE CLEARINGHOUSE  
Revised 2011

CATEGORICAL EXEMPTION/CATEGORICAL EXCLUSION DETERMINATION FORM

01-HUM-299 Dist.-Co.-Rte.	30.7/37.7 P.M./P.M.	01-0F470 E.A/Project No.	01 1600 0011 Federal-Aid Project No.
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**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.)

This is a safety project that proposes to widen shoulders along State Route 299 at two locations between post miles 30.7 and 37.7 (Location 1 PM 34.6-36.3 and Location 2 PM 37.15-37.7). Work will occur at these two locations only. Widening shoulders will allow for additional recovery room for motorists and a more traversable shoulder for bicyclists and pedestrians. The purpose of this project is to reduce the frequency and severity of collisions at 2 locations. The project is needed to reduce the frequency of run-off road and hit object type collisions, as well as reducing the number of collisions during dark hours.

**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 § 85962.5 ("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].)]

**Dana York**

Print Name: Senior Environmental Planner or Environmental Branch Chief

*Dana York*  
Signature

**James Van Bonn**

Print Name: Project Manager

*James T. Van Bonn*  
Signature

5/1/2019  
Date

1-May-2019  
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) ( 26 )**
- 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.

**Dana York**

Print Name: Senior Environmental Planner or Environmental Branch Chief

*Dana York*  
Signature

**James Van Bonn**

Print Name: Project Manager/DLA Engineer

*James T. Van Bonn*  
Signature

5/1/2019  
Date

1-May-2019  
Date

Date of Categorical Exclusion Checklist completion: 5/1/19

Date of ECR or equivalent : 5/1/19

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

## CATEGORICAL EXEMPTION/CATEGORICAL EXCLUSION DETERMINATION FORM

## Continuation Sheet

01-HUM-299 Dist.-Co.-Rte.	30.7/37.7 P.M./P.M.	01-0F470 E.A/Project No.	01 1600 0011 Federal-Aid Project No.
Continued from page 1:			
<p>The proposed work includes shoulder widening using cut and/or fill methods, retaining walls, special detail rail element walls Midwest Guardrail System (MGS), rumble strips, and thermoplastic markings. The shoulders are to be widened between four to six feet. This proposed shoulder widening involves the use of cut and fills methods, retaining walls, and special detail walls. Three special detail rail element walls are proposed ranging in length from 250 feet to 550 feet to accommodate the shoulder widening. Mechanically Stabilized Earth (MSE) walls will be constructed to widen shoulders at two locations. Rock excavation will also be performed to widen shoulders at one location and cable net drapery will be installed to control rockfall. All existing metal beam guardrail (MBGR) will be replaced with the Midwest Guardrail System (MGS). Installation of MGS is expected to reduce the severity of collisions. Several drainage inlets will be replaced with a Type G-1 inlet. Four culverts will be replaced, one of which will require a temporary access road during construction. Wet night visibility thermoplastic striping will be installed on the EB and WB edge of the traveled way (ETW) throughout the project limits. Sinusoidal rumble strip will be constructed along the centerline and along the shoulders at locations where there are at least 5 feet of shoulder. High friction surface treatment (HFST) will be applied to the pavement at two locations, PM 34.76-34.90, and PM 35.09-35.20. Some tree removal may be required. All work will be within the existing State right of way.</p>			
<p><b>PERMITS:</b> The following permits will be required: Section 404 from the United States Army Corps of Engineers (USACE), Section 401 Certification from the North Coast Regional Water Quality Control Board (NCRWQCB) and a Lake and Streambed Alteration Agreement (LSAA) from the California Department of Fish and Wildlife (CDFW). The Programmatic-Letter of Concurrence (PLOC) will be used for Section 7 consultation with USFWS to address potential impacts to northern spotted owl.</p>			
<p>Air, water quality, noise, hazardous waste, visual, biological and cultural studies have been completed.</p>			
<p>The following measures will be included as a part of the project:</p>			
<ul style="list-style-type: none"> <li>• A Preliminary Site Investigation will be required to determine the actual distribution and concentration of Naturally Occurring Asbestos (NOA) and Aerially Deposited Lead (ADL) present at the project site.</li> <li>• Include SSP 7-1.02K(6)(j)(iii) EARTH MATERIALS CONTAINING LEAD and a Lead Compliance Plan contract item.</li> <li>• Use NSSP 14-11.10 because the project involves disturbance of soil containing NOA and require an Asbestos Compliance Plan and Dust Control Plan as contract items.</li> <li>• Include Standard Special Provision (SSP) 14-11.14 to address Treated Wood Waste (TWW) generated on the project.</li> <li>• The project is required to provide stormwater treatment to offset the increase in new impervious surface from roadway widening. Treatment methods may include directing stormwater runoff from pavement areas to pervious surfaces (e.g. biostrips, bioswales), infiltration trenches, or infiltration basins.</li> <li>• A contractor-supplied biologist will be required to complete pre-construction surveys and biological monitoring during construction.</li> <li>• No construction activities generating noise levels above 90 decibels (dB) or 20 dB above ambient (excluding backup alarms) would occur between February 1 and July 31 to avoid potential impacts to northern spotted owl (NSO). Noise restrictions will be lifted between August 1 and January 31.</li> <li>• Prior to any dewatering, the contractor will be required to submit a Construction Site Dewatering and Diversion Plan to Caltrans for approval.</li> <li>• Vegetation and tree removal would be restricted to the period between September 16 and January 31 (outside of the bird breeding season). If vegetation removal is required between February 1 and September 15, a nesting bird survey would be conducted by a qualified biologist at least one week before disturbance.</li> </ul>			
<p>Governor's Office of Planning &amp; Research</p> <p>JUN 05 2019</p> <p>STATE CLEARINGHOUSE</p>			