

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: Nevada, Placer

From: (Public Agency) Caltrans, Dist. 03
703 B Street
Marysville CA 95901

Project Title: Nev-49 Culvert Rehab (South)

Project Applicant: California Department of Transportation

Project Location - Specific:
Placer County SR 49 post miles 8.23, 10.23 and Nevada County SR 49 post miles 0.0/7.5

Project Location - City: Nevada City Project Location - County: NEV, PLA

Description of Nature, Purpose and Beneficiaries of Project:
The purpose of the project is to rehabilitate existing culverts and corrugated steel pipe down drains exhibiting damage or needing remedial treatments to preserve and extend their service life. The project benefits users and neighbors of this segment of SR 49.

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));
[X] Categorical Exemption. State type and section number: Class 1, 14 CCR 15301
[ ] Statutory Exemption. State code number:

Reason why project is exempt:
This project is exempt because there is no expansion of existing use. The highway facilities (culverts/ drains) are being rehabilitated to extend their usefulness.

Lead Agency
Contact Person: Erin Damm Area Code/Telephone/Extension: 5307415387

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: [Handwritten Signature] Date: 8/21/19 Title: Environmental Planner

[X] 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 Co
Date Received for filing at OPR

Governor's Office of Planning & Research

AUG 21 2019

Revised 2011

STATE CLEARINGHOUSE

**CATEGORICAL EXEMPTION/CATEGORICAL EXCLUSION DETERMINATION FORM**

<b>03-NEV, PLA-49</b>	<b>NEV: 0.0/7.5 &amp; 03-0H210</b>	<b>0315000112</b>	
	<b>PLA: 8.23, 10.23</b>		
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.)

This project is proposed by Caltrans under the SHOPP 51 Drainage System Restoration Program. The purpose of the project is to rehabilitate existing culverts (24) and corrugated steel pipe down drains (12) exhibiting damage or needing remedial treatments to preserve and extend their service life. The project is needed because many of the drainage facilities are in poor condition and nearing the end of their service life. The project's southerly limit begins at PM 8.23 in Placer County and continues to PM 7.17 in Nevada County to the north. Construction activities include invert paving and non-styrene cured-in-place culvert lining, replacing down drains with open flume designs, repairing or upgrading culvert end treatments as needed, minor grading and debris clearing to reestablish flow lines, vegetation trimming, excavation and re-compaction of slope damaged by erosion, temporary construction or (continued on page 2)

**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.)

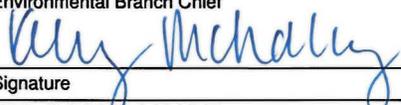
Based on an examination of this proposal and supporting information, the following statements are true and exceptions do not apply:

- 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].)]

**Kelly McNally**

Print Name: Senior Environmental Planner or Environmental Branch Chief

 8/6/19  
 Signature Date

**Sam Vandell**

Print Name: Project Manager

 8/6/19  
 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)(22)**
- 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

 8/6/19  
 Signature Date

**Sam Vandell**

Print Name: Project Manager/DLA Engineer

 8/6/19  
 Signature Date

**CATEGORICAL EXEMPTION/CATEGORICAL EXCLUSION DETERMINATION FORM**  
**Continuation Sheet**

<b>03-NEV, PLA-49</b>	<b>NEV: 0.0/7.5 &amp; PLA: 8.23, 10.23</b>	<b>03-0H210</b>	<b>0315000112</b>
Dist.-Co.-Rte. (or Local Agency)	P.M./P.M.	E.A/Project No.	Federal-Aid Project No. (Local Project)/Project No.

Date of Categorical Exclusion Checklist completion: 8.6.19      Date of ECR or equivalent: 8.6.19

Continued from page 1:

permanent treatment storm water BMPs. Eleven permanent drainage easements are planned for acquisition at project locations 1, 2, 8, 27, 28, 29, 30, 33, 34. Locations 2 and 33 will have acquisitions from two parcels.

All construction work will take place within the operational right of way, vegetation removal will be limited to the minimal amount required and trimmed rather than removed when possible, and streambed disruption will be minimized to avoid undue resource impacts. Where disturbed ground is required for the project, native seed mix will be used for reseeding. Botanical surveys during the bloom season for potential status species of botanicals will be conducted. Best management practices will be implemented to avoid undue materials, debris or other pollutants from entering surface waters. Pre-construction surveys for Western Pond Turtle will be conducted at project locations 16 and 17.

Standard Special Provisions for Biology (14-1.02 Environmentally Sensitive Area, 14-6.03 Species Protection), Stormwater (13-9.02C and D Concrete Washout, n-SSP 15-6.11 CIPP Lining operations), and Hazardous Waste (Aerially Deposited Lead, Naturally Occurring Asbestos) will be included in Specifications during the PS&E phase.

"Streambed Alteration Agreement" 1602 permits are required for non-permanent impacts at project locations 1, 2, 3, 4, 5, 25, 27, 28, and 30 will be obtained from CA Department of Fish and Wildlife. The project is exempt from the Clean Water Act Section 404 permitting, and certification under Section 401 of the Clean Water act is not required.