

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: Monterey
1441 Schilling Place
Salinas, CA 93901

From: (Public Agency): Caltrans, District 05
50 Higuera Street
San Luis Obispo, CA 93401

(Address)

Project Title: Pfeiffer Canyon Mitigation

Project Applicant: California Department of Transportation

Project Location - Specific:

Pfeiffer Canyon Bridge Mitigation occurs between post miles 45.4 and 45.6 On Hwy 1 in Big Sur.

Project Location - City: N/A Project Location - County: Monterey

Description of Nature, Purpose and Beneficiaries of Project:

The project includes improvements required as part of the coastal development permit issued by Monterey County. Following the emergency bridge replacement project, under grounding of utilities will occur as well as permanent plant restoration.

Name of Public Agency Approving Project: California Department of Transportation

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: 15302 (d)
- Statutory Exemptions. State code number: _____

Reasons why project is exempt:

As part of replacing the bridge (emergency project), the overhead utilities will be undergrounded, which is allowed under the above CE category.

Lead Agency
Contact Person: Yvonne Hoffmann Area Code/Telephone/Extension: 805 542-4759

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: Yvonne Hoffmann Date: 4/8/19 Title: Associate 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

APR 08 2019

STATE CLEARINGHOUSE

Revised 2011

CATEGORICAL EXEMPTION/CATEGORICAL EXCLUSION DETERMINATION FORM

05-MON-01	45.4-45.6	05-1K080/05-18000118	N/A
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.)

The California Department of Transportation (Caltrans) proposes a permanent restoration project following the emergency opening of the Pfeiffer Canyon Bridge in October 2017. These post-emergency measures include mitigation planting, erosion control, plant establishment, and utility relocation. The proposed work will occur between post miles 45.4 – 45.6 on Highway 1, near Big Sur in Monterey County. These improvements will satisfy the recently issued non-emergency Coastal Development Permit that was issued by Monterey County and Coastal Commission. Refer to 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 2 (d). (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.

- Exempt by General Rule. [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].)]

LARA BERTAINA 1/18/19

Print Name: Senior Environmental Planner or Environmental Branch Chief

Lara Bertaina
Signature

1/18/19
Date

DAVID M. SILBERBERGER

Print Name: Project Manager

David M. Silberberger
Signature

1/18/19
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) ()
 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.

Print Name: Senior Environmental Planner or Environmental Branch Chief

Signature

Date

Print Name: Project Manager/DLA Engineer

Signature

Date

Date of Categorical Exclusion Checklist completion: N/A

Date of ECR or equivalent :

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Work associated with utility relocation will be conducted during the PS&E phase of the project and will involve coordination between Caltrans and applicable utility companies, including: AT&T will relocate their line to the northbound side opening and PG&E will relocate their line to the southbound side opening. There will be off highway trenching for AT&T and PG&E on the northbound shoulder and limited trenching in the roadway. Restoration planting will consist of invasive plant management, temporary irrigation, and a 3-year plant establishment period. All work will take place within the Caltrans right-of-way, and on previously disturbed area.

Biological Resources

Marginal habitat exists for the California red-legged frog within the Biological Study Area. Although there will be a limited amount of ground disturbance required to underground utilities and plant trees on site, impacts to individual frogs will be fully avoided with proper implementation of specific measures. Undergrounding of overhead utilities and increased nesting habitat generated by the tree plantings will result in an overall positive impact to nesting birds. Planting trees will also provide more cover and shelter for California red-legged frogs, which will increase habitat quality in the biological study area. Short-term construction impacts will be avoided by implementing the following measures:

- A worker Environmental Awareness Training will be provided to all personnel before work in California red-legged frog habitat occurs.
- A preconstruction survey will be conducted prior to ground disturbance within suitable upland and dispersal habitat to ensure there are no California red-legged frogs in the work area.
- Suitable markers should be installed around the work area to minimize the footprint of disturbance needed to complete the project.
- All trash should be covered and/or taken off-site to minimize attraction of predators that may feed on California red-legged frogs.
- All equipment should be free of material that could transport invasive, non-native plant species.
- All staging, maintenance, and storage of heavy machinery shall be conducted in such a location and manner that no fuel, oil, or other petroleum products may run off or be washed by rainfall into the water.
- The Federal Migratory Bird Treaty Act (MBTA) protects most North American migratory birds, nests, and eggs. California Department of Fish and Game (CDFG) Code Sections 3503, 3513, and 3800 also protect migratory birds. Trimming or removal of trees and shrubs that must be scheduled to occur during the nesting season (February 15 to August 31) shall require a nesting bird survey by a qualified biologist at least two weeks prior to trimming or removal. If active bird nests are found during required preconstruction surveys, readily visible exclusion zones where construction activity must be avoided shall be established by the District Biologist.

Noise

Short-term noise impacts from construction are inevitable, but impacts are not anticipated. Caltrans policy states that normal construction equipment will not emit noise levels greater than 86-dBA at 50-feet from the source. Night work is not anticipated for this project. If nighttime construction becomes necessary, the loudest construction activities should be done as early as possible. Caltrans Standard Specifications (Section 14-8.02) requires the contractor to control and monitor noise resulting from work activities and not to exceed 86 dBA Lmax at 50 feet from the job site from 9:00 p.m. to 6:00 a.m.

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The following measures to address short-term noise will be included in the contract special provisions:

- The Contractor shall comply with all local sound control and noise level rules, regulations, and ordinances which apply to any work performed pursuant to the contract.
- Each internal combustion engine, used for any purpose on the job, or related to the job, shall be equipped with a muffler of a type recommended by the manufacturer. No internal combustion engine shall be operated on the job site without an appropriate muffler.
- Notify the public in advance of the construction schedule when construction noise and upcoming construction activities likely to produce an adverse noise environment are expected. This notice shall be given two weeks in advance. Notice should be published in local news media of the dates and duration of proposed construction activity. The District 5 Public Information Office posts notice of the proposed construction and potential community impacts after receiving notice from the Resident Engineer.

The following general measures will be included in the RE binder and implemented as appropriate to further minimize temporary construction-noise impacts.

- Limit all phases of construction to acceptable hours, Monday through Friday as required by local ordinance;
- Shield especially loud pieces of stationary construction equipment;
- Locate portable generators, air compressors, etc. away from sensitive noise receptors;
- Limit grouping major pieces of equipment operating in one area to the greatest extent feasible;
- Place heavily trafficked areas such as the maintenance yard, equipment, tool, and other construction-oriented operations in locations that would be the least disruptive to surrounding sensitive noise receptors;
- Use newer equipment that is quieter and ensure that all equipment items have the manufacturers' recommended noise abatement measures, such as mufflers, engine covers, and engine vibration isolators intact and operational. Internal combustion engines used for any purpose on or related to the job shall be equipped with a muffler or baffle of a type recommended by the manufacturer; and,
- Consult District noise staff if complaints are received during the construction process.

Hazardous Waste

Aerially deposited lead (ADL) is the only hazardous material of concern that may be present within the project site. Previous sampling found lead concentrations at the project site to be between 18 and 24 mg/kg. The total lead concentrations are well below the 80 mg/kg concentration threshold, avoiding notification to the Department of Toxic Substances Control. However, to be prudent, a Lead Compliance Plan (LCP) will be prepared for any soil disturbance per SSP 7-1.02K(6)(j)(iii). This will be placed in the Contract Specifications.