

2019058090

**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: STA

From: (Public Agency) Caltrans, Dist. 10  
1976 E. Dr. Martin Luther King Jr. Blvd.  
Stockton CA 95205

Project Title: STA 132 Overlay 10-10160

Project Applicant: California Department of Transportation

Project Location - Specific:  
STA-132-27.9/41.0

Project Location - City: La Grange Project Location - County: STA

**Description of Nature, Purpose and Beneficiaries of Project:**

The California Department of Transportation (Caltrans) proposed to place a 0.1 foot rubberized Hot Mix Asphalt Gap Graded (0.1' RHMA-G) overlay on State Route 132 from postmile (PM) 27.9 to PM 41.0, in Stanislaus County. All work will be completed within the existing State Right-of-Way (ROW). The purpose of this project is to extend the service life of the existing pavement. The need of the project is to prevent further deterioration of the paved highway surface.

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  
☐ Statutory Exemption. State code number: \_\_\_\_\_

**Reason why project is exempt:**

Project will not affect any sensitive species or their habitat, any cultural or scenic resources or any other environmentally sensitive resources.

**Lead Agency**

Contact Person: Reena Gohil Area Code/Telephone/Extension: 209-948-3811

**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: [Signature] Date: 3-25-19 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

Governor's Office of Planning & Research  
 Date Received for filing at OPR

MAY 07 2019

STATE CLEARINGHOUSE

Revised 2011

## CATEGORICAL EXEMPTION/CATEGORICAL EXCLUSION DETERMINATION FORM

<b>10-STA-132</b>	<b>27.9/41.0</b>	<b>10-1J160/1018000180</b>
Dist.-Co.-Rte. (or Local Agency)	P.M./P.M.	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) proposed to place a 0.1 foot rubberized Hot Mix Asphalt Gap Graded (0.1' RHMA-G) overlay on State Route 132 from postmile (PM) 27.9 to PM 41.0, in Stanislaus County. All work will be completed within the existing State Right-of-Way (ROW). The purpose of this project is to extend the service life of the existing pavement. The need of the project is to prevent further deterioration of the paved highway surface.

**CEQA COMPLIANCE** (for State Projects only)

Based on an examination of this proposal and supporting information, the following statements are true and exceptions do not apply (See 14 CCR 15300 et seq.):

- 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.

**CALTRANS CEQA DETERMINATION** (Check one)

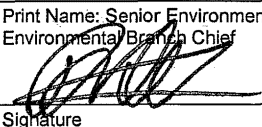
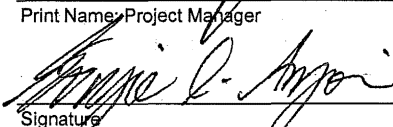
☐ Not Applicable – Caltrans is not the CEQA Lead Agency ☐ Not Applicable – Caltrans has prepared an Initial Study or Environmental Impact Report under CEQA

☐ Exempt by Statute. (PRC 21080[b]; 14 CCR 15260 et seq.)

Based on an examination of this proposal, supporting information, and the above statements, the project is:

☒ **Categorically Exempt. Class 1.** (PRC 21084; 14 CCR 15300 et seq.)

☐ **Categorically Exempt. General Rule 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 (CCR 15061[b][3].)]

<p><b>Dominic Vitali</b></p> <p>Print Name: Senior Environmental Planner or Environmental Branch Chief</p> <p> 3/26/19</p> <p>Signature Date</p>	<p><b>Jason B. Miller</b></p> <p>Print Name: Project Manager</p> <p> 3/27/19</p> <p>Signature Date</p>
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**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.

<p>Print Name: Senior Environmental Planner or Environmental Branch Chief</p> <p>Signature _____ Date _____</p>	<p>Print Name: Project Manager/DLA Engineer</p> <p>Signature _____ Date _____</p>
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Date of Categorical Exclusion Checklist completion: N/A Date of ECR or equivalent : 03-25-19

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

<b>10-STA-132</b>	<b>27.9/41.0</b>	<b>10-1J160/1018000180</b>	
Dist.-Co.-Rte. (or Local Agency)	P.M./P.M.	E.A/Project No.	Federal-Aid Project No. (Local Project)/Project No.

Continued from page 1:

**General:**

- Environmental reevaluation will be required if the scope of the project changes to include additional areas or activities, or if previously unknown cultural or other sensitive resources are discovered. Contact Environmental Office if project changes occur or sensitive resources are discovered.

**Hazardous Waste:**

- Implement Caltrans Standard Special Provision pertaining to ISA Earth Material containing Lead, 7-1.02K(6)(j)(iii)
- If yellow thermoplastic traffic stripe or pavement markings are removed separately from the pavement, the residue must be tested for hazardous waste prior to disposal and, if found to be hazardous, must be disposed of at Class 1 facility. Implement Caltrans Standard Specification 14-11.12 to the construction contract

**Cultural Resources:**

- If cultural materials are discovered at the job site, do not disturb the resources and immediately:
  1. Stop all work within a 60-foot radius of the discovery
  2. Protect the discovery area
  3. Notify the Engineer

The Department Investigates. Do not move cultural materials or take them from the job site. Retain a qualified archaeologist to assess the significance of the find. Do not resume work within the discovery area until authorized.
- If human remains are discovered, State Health and Safety Code Section 7050.5 states that further disturbances and activities shall cease in any area or nearby area suspected to overlie remains, and the County Coroner contacted. Pursuant to Public Resources Code Section 5097.98, if the remains are thought to be Native American, the coroner will notify the Native American Heritage Commission (NAHC) who will then notify the Most Likely Descendant (MLD). At the time the landowner will work with the MLD on the respectful treatment and disposition of the remains. Further provisions of PRC 5097.98 are to be followed as applicable.

**Biology:**

- Migratory birds and raptors: If work is to occur during the migratory bird nesting season (February 1 – September 30), the standard bird protection specification (14-6.03B) will be added to the contract and a preconstruction bird survey will be carried out by a Caltrans Biologist. If active nests are observed, buffers will need to be established in coordination with California Department of Fish and Wildlife (CDFW).

No permits are required for this project.

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MAY 07 2019

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