

**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: MPA

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

2019068092

Project Title: 1K470: Ferguson Fire & Slide Emergency Repairs

Project Applicant: California Department of Transportation

Project Location - Specific:  
This project will occur along State Route (SR) 140 within Mariposa County between post mile 37.0 and post mile 51.8.

Project Location - City: Various Project Location - County: MPA

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

The California Department of Transportation (Caltrans) proposes an emergency project to replace culverts and stabilize slopes along State Route (SR) 140 within Mariposa County between post mile 37.0 and post mile 51.8. The scope of work includes replacing burnt and damaged culverts, slope scaling, installing erosion and sediment control measures, installing debris racks, removing dead trees, and pavement repairs. All work will occur within Caltrans and U.S. Forest Service right of way (ROW). The purpose of this project is to immediately repair the failed roadway and culverts and stabilize the insecure slopes. The project is needed to maintain highway safety and functionality.

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: Existing Facilities section 15301
- Statutory Exemption. State code number: \_\_\_\_\_

**Reason why project is exempt:**

The 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: Elizabeth Hummel Area Code/Telephone/Extension: 209-948-3825

**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: 6/19/19 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 Cc

Date Received for filing at OPR \_\_\_\_\_

Governor's Office of Planning & Research Revised 2011  
JUN 21 2019  
STATE CLEARINGHOUSE

CATEGORICAL EXEMPTION/CATEGORICAL EXCLUSION DETERMINATION FORM

10-MPA-140 34.0/51.8 1K470/1019000029
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 an emergency project to replace culverts and stabilize slopes along State Route (SR) 140 within Mariposa County between post mile 37.0 and post mile 50.0. The scope of work includes replacing burnt and damaged culverts, slope scaling, installing erosion and sediment control measures, installing debris racks, removing dead trees, and pavement repairs. All work will occur within Caltrans and U.S. Forest Service right of way (ROW). The purpose of this project is to immediately repair the failed roadway and culverts and stabilize the insecure slopes. The project is needed to maintain highway safety and functionality.

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 . (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].)]

Dominic Vitali

Print Name: Senior Environmental Planner or Environmental Branch Chief

Signature

Date

Ali Juma

Print Name: Project Manager

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)
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/Design Engineer

Signature

Date

Date of Categorical Exclusion Checklist completion: N/A

Date of ECR or equivalent: See Continuation Sheet

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

NOT APPLICABLE

Governor's Office of Planning & Research
JUN 21 2019
STATE CLEARINGHOUSE

**NEPA/CEQA RE-VALIDATION FORM**

DIST./CO./RTE.	10/MPA/140
PM/PM	37.0/51.8
E.A. or Fed-Aid Project No.	1K470
Other Project No. (specify)	
PROJECT TITLE	Ferguson Emergency Slide & Culvert Repairs
ENVIRONMENTAL APPROVAL TYPE	CEQA CE
DATE APPROVED	06/04/2019
REASON FOR CONSULTATION (23 CFR 771.129)	Check reason for consultation: <input type="checkbox"/> Project proceeding to next major federal approval <input type="checkbox"/> Change in scope, setting, effects, mitigation measures, requirements <input type="checkbox"/> 3-year timeline (EIS only) <input checked="" type="checkbox"/> N/A (Re-Validation for CEQA only)
DESCRIPTION OF CHANGED CONDITIONS	Briefly describe the changed conditions or new information on page 2. Append continuation sheet(s) as necessary. Include a revised Environmental Commitments Record (ECR) when applicable.

**NEPA CONCLUSION - VALIDITY**

Based on an examination of the changed conditions and supporting information: [Check ONE of the three statements below, regarding the validity of the original document/determination (23 CFR 771.129). If document is no longer valid, indicate whether additional public review is warranted and whether the type of environmental document will be elevated.]

- NOT APPLICABLE**
- The original environmental document or CE remains valid. No further documentation will be prepared.
  - The original environmental document or CE is in need of updating; further documentation has been prepared and  is included on the continuation sheet(s) or  is attached. With this additional documentation, the original ED or CE remains valid.  
 Additional public review is warranted (23 CFR 771.111(h)(3)) Yes  No
  - The original document or CE is no longer valid.  
 Additional public review is warranted (23 CFR 771.111(h)(3)) Yes  No   
 Supplemental environmental document is needed. Yes  No   
 New environmental document is needed. Yes  No  (If "Yes," specify type: \_\_\_\_\_)

**CONCURRENCE WITH NEPA CONCLUSION**

I concur with the NEPA conclusion above.

Signature: Environmental Branch Chief \_\_\_\_\_

Date \_\_\_\_\_

Signature: Project Manager/DLAE \_\_\_\_\_

Date \_\_\_\_\_

**CEQA CONCLUSION:** (Only mandated for projects on the State Highway System.)

Based on an examination of the changed conditions and supporting information, the following conclusion has been reached regarding appropriate CEQA documentation: (Check ONE of the five statements below, indicating whether any additional documentation will be prepared, and if so, what kind. If additional documentation is prepared, attach a copy of this signed form and any continuation sheets.)

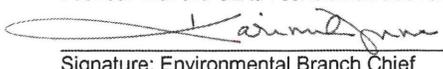
- Original document remains valid. No further documentation is necessary.
- Only minor technical changes or additions to the previous document are necessary. An addendum has been or will be  prepared and is  included on the continuation sheets or  will be attached. It need not be circulated for public review. (CEQA Guidelines, §15164)
- Changes are substantial, but only minor additions or changes are necessary to make the previous document adequate. A Supplemental environmental document will be prepared, and it will be circulated for public review. (CEQA Guidelines, §15163)
- Changes are substantial, and major revisions to the current document are necessary. A Subsequent environmental document will be prepared, and it will be circulated for public review. (CEQA Guidelines, §15162) (Specify type of subsequent document, e.g., Subsequent FEIR)
- The CE is no longer valid. New CE is needed. Yes  No

Governor's Office of Planning & Research

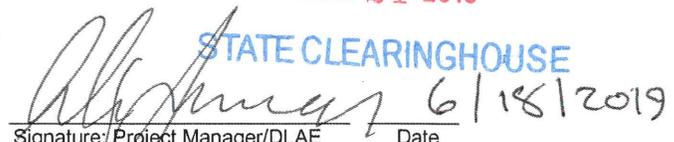
JUN 21 2019

**CONCURRENCE WITH CEQA CONCLUSION**

I concur with the CEQA conclusion above.

  
 Signature: Environmental Branch Chief \_\_\_\_\_

4/13/19  
 Date \_\_\_\_\_

  
 Signature: Project Manager/DLAE \_\_\_\_\_

Date \_\_\_\_\_

FUR