

**CATEGORICAL EXEMPTION/CATEGORICAL EXCLUSION DETERMINATION FORM**

<b>05-SB/SLO-101</b>	<b>70.73/90.98</b> <b>4.75/5.0</b>	<b>05-1H850/ 0517000001</b>	<b>N/A</b>
Dist.-Co.-Rte.	P.M./P.M.	E.A/Project No.	Federal-Aid Project No/Project No.

**PROJECT DESCRIPTION:**

Caltrans is proposing to improve safety for maintenance workers and the traveling public by constructing or modifying roadside facilities at 67 locations that will provide more separation from the Edge of Traveled Way (ETW) during maintenance activities and/or require less maintenance visits. The project limits begin on Route 101 in Santa Barbara County at Route 135 in the community of Los Alamos (PM 70.73 to 90.98) and continue north into San Luis Obispo County, ending at Tefft Street in the community of Nipomo (PM 4.75 to 5.0). This safety project is needed to reduce the potential for injuries and fatalities and is in line with the California Department of Transportation's goal to provide the safest transportation system in the nation for both users and workers.

**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].)]

**Jason Wilkinson**

Print Name: Senior Environmental Planner

Signature

Date

**Paul Valadao**

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)(27)**  
 **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.

**Jason Wilkinson**

Print Name: Senior Environmental Planner

Signature

Date

**Paul Valadao**

Print Name: Project Manager/DLA Engineer

Signature

Date

Date of Categorical Exclusion Checklist completion: 10/1/2019

Date of ECR or equivalent : 10/1/2019

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

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This project will pave the area beyond the gore tips with Contrasting Surface Treatment (CST) and construct Maintenance Vehicle Pullouts (MVPs) in the outside shoulders. Other incidental improvements triggered by the proposed CSTs and MVPs include curb and dike replacement, gore tip pavement, modification of drain inlets, relocation of existing utilities, replacement of gore area signage, and erosion control. In addition, the project will make other needed improvements such as replace overside drains, pipe downdrains, and other minor drainage deficiencies. All proposed improvements lie within State Right of Way.

The project will include the following measures:

*Biological Measures:*

1. A Caltrans Project Biologist will provide environmental training to all employees, subcontractors, and contractor's representatives on the project site prior to performing on-site work, with an emphasis on special-status and invasive species that may occur in the API.
2. Within 30 days prior to initiation of site disturbance and/or construction, a qualified biologist will conduct a pre-activity (i.e., pre-construction) survey for known or potentially sensitive species within the API, including burrowing owl burrows and American badger dens.
3. If an active den for American badger is discovered, a 100 ft buffer will be implemented to avoid the den. If an active pupping den is discovered, no work may proceed within the 100 ft buffer until coordination with CDFW has occurred.
4. If an active burrow for burrowing owl is discovered during the non-breeding season (September 1- January 31), a 160 ft buffer will be implemented to avoid the burrow. If an active burrow is discovered during the breeding season (February 1-August 31), a 250 ft buffer will be implemented, and no work may proceed within the 250 ft buffer until coordination with CDFW has occurred.
5. During the site-disturbance and/or construction phase, if any observations are made of American badger or burrowing owl, including dead animals, or any known or potential dens or burrows are discovered within or adjacent to the project limits, the contractor will contact the Caltrans Project Biologist. All work will stop within 100 ft of the animal, den, or burrow until the Caltrans Biologist determines it is appropriate to resume work.
6. If feasible and regulatory approvals allow, all vegetation removal for this project will be scheduled to occur from October 1 to January 31, outside of the typical nesting bird season, to avoid potential impacts to nesting birds.
7. If vegetation removal or other construction activities are proposed to occur within 100 ft of potential nesting habitat during the nesting season (February 1 to September 30), a nesting bird survey will be conducted by a qualified biologist no more than fourteen (14) days prior to construction.
8. If an active nest of a native migratory bird is found, Caltrans will determine an appropriate buffer and monitoring strategy based on the habits and needs of the species. The buffer area will be avoided until a qualified biologist has determined that juveniles have fledged.
9. Prior to any ground disturbing activities, protective fencing will be installed around the dripline of trees and other vegetation designated to be protected within the project limits. Protection areas will be noted on design plans and delineated in the field prior to the start of construction activities.
10. The following revegetation measures for all disturbed soils will reduce the potential to introduce or spread invasive plant species and noxious weeds from or into the project area.
  - a. The contract specifications for permanent erosion control will require the use of California native forb grass species that occur in the general elevation and geographic area as the project site.
  - b. All soils temporarily disturbed by construction will be treated for permanent erosion control with a seed mix comprised of local native grasses and forbs.
  - c. Mulches used on the project will be from source materials that will not introduce exotic species.
  - d. Erosion control measures should be implemented in areas of ground disturbance and should specify the use of sterile or certified weed-free mulches and straw applications and/or revegetation with the use of native species appropriate for the project vicinity.

*Visual Measures:*

1. If possible, vegetation control shall use natural inert materials. If vegetation control paving is required, paving shall be colored to minimize contrast and noticeability. The color shall be determined and approved by a District Five Landscape Architecture representative.
2. Aesthetic treatment shall be integrated into the design and construction of all paving beyond the gore (contrasting surface treatment) areas.

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3. The specific types of aesthetic treatments shall be developed during the project design phase and shall be based on input from the local communities. Each local jurisdiction the project passes through shall be presented with aesthetic options regarding all paving beyond the gore treatments within their jurisdictions.

*Noise Measures:*

1. 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.
2. 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.
3. Shield especially loud pieces of stationary construction equipment;
4. Locate portable generators, air compressors, etc. away from sensitive noise receptors;
5. Limit grouping major pieces of equipment operating in one area to the greatest extent feasible;
6. 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;
7. 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,
8. Consult District noise staff if complaints are received during the construction process.