

**CATEGORICAL EXEMPTION/CATEGORICAL EXCLUSION DETERMINATION FORM**

<b>01-MEN-101</b>	<b>89.01</b>	<b>01-451400</b>	<b>n/a, state funds only</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.)

**Sullivan Parcel Acquisition. See continuation sheet.**

**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 15305.** (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].)]

**Darrell Cardiff (Acting SR)**

Print Name: Senior Environmental Planner or Environmental Branch Chief

*[Handwritten Signature]*

Signature

*2/3/20*

Date

**Kristina Walker**

Print Name: Project Manager

*[Handwritten Signature]*

Signature

*05 FEB 2020*

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.

**N/A**

Print Name: Senior Environmental Planner or Environmental Branch Chief

Signature

**N/A**

Print Name: Project Manager/DLA Engineer

Signature

Date

Date of Categorical Exclusion Checklist completion: **N/A**

Date of ECR or equivalent : **1/31/2020**

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**

***Project Description***

Purchase the property located to the west of the existing Maintenance area at MEN-101-89.01. This parcel is currently being used by Caltrans as a leased disposal site. Use of the site as a disposal/borrow site would continue essentially unchanged upon this purchase. Any expansion of the disposal area will require additional environmental studies and compliance. Maintenance and Construction have need to continue to use this disposal/borrow area. This project will purchase AP #053-400-039 from a private owner and it will become state property to be used as a disposal/borrow site.

***Environmental Analysis***

**Cultural Resources**

A Historical Resources Compliance Report was prepared on January 14, 2020 and it was determined that there are no Historical Resources within the project area limits and therefore the project has no potential to affect historic properties and is exempt from further review.

**Biological Resources**

A biological memo was prepared on January 13, 2020 and it was determined that the project will have no effect on any listed species or their critical habitat.

**Visual & Noise Impact**

A Questionnaire to Determine Visual Impact Assessment (VIA) level was completed on January 19, 2020 and it was determined that this project will not result in negative visual impacts, and no visual changes would occur due to the acquisition of this parcel. A Visual Impact Assessment is not required for this project. No change is anticipated to currently generated noise levels. There will be no permanent impact to the visual or noise environment.

**Hazardous Materials**

A Hazardous Materials Disclosure Document – Acquisition was prepared on August 1, 2019. It was determined that this parcel may be acquired. The parcel is considered free of significant hazardous materials for purposes of this project. This project will have no impacts related to hazardous waste.

**Water Quality**

A Water Quality Assessment Checklist was completed on January 14, 2020. No additional Water Quality memo is required. This project was determined to have no permanent impact on water quality.

**Air Quality**

The purchase of the parcel, and its continued use as a disposal/borrow site, will not result in any permanent impacts to air quality.

***Environmental Commitments***

Upon acquisition of the property a Facility Pollution Prevention Plan in accordance with section 8.3 of the Caltrans Statewide Stormwater Management Plan (CTSW-RT-16-316.05.1) will need to be developed to comply with the statewide NPDES permit.

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Disposal activities are cleared for those areas identified as "Active Disposal" in the attached maps. Expansion of activities beyond the existing disposal area will require additional cultural and environmental studies and compliance. Wetland delineation would be required for work or ground disturbance below the access road. There will be no ground disturbing activities below the access road unless additional biological studies are conducted on these areas.

For any vegetation removal outside of the active disposal area and expected to occur between March 1 and August 31, migratory bird surveys should be conducted by a qualified biologist, to determine whether suitable nesting habitat for the presence of nest occurs in any part of the project limits. Surveys shall be conducted no more than 14 days prior to vegetation trimming/removal. If migratory or nongame bird nests, that may be adversely affected by project activities, are discovered, the applicant must contact the California Department of Fish and Game and other responsible resource/permitting agencies with jurisdiction for the project, and proceed according to their guidance. If the timing of this operation falls within the breeding season of birds protected under the federal Migratory Bird Treaty Act, and if migratory or nongame bird nests that may be adversely affected by the project activities are discovered during the operation or if an injured or killed bird is found, immediately: Stop all work within a 100-foot radius of the discover, and notify the California Department of Fish and Game and other responsible resource/permitting agencies within the jurisdiction for the project. Protocol level surveys for snag nesting species such as northern spotted owl, will be required if trees larger than 10" DBH are expected to be removed in the future.

***Permits***

No regulatory permits are required for this project.