

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: Ventura

From: (Public Agency): Caltrans
100 S Main St. MS 16A
Los Angeles, CA 90012

Project Title: VEN-1 Cold Plane and Overlay AC Pavement

Project Applicant: California Department of Transportation

Project Location - Specific: State Route-1 in Ventura County between State Beach Access Road (post mile (PM) 21.2) and Mobile Pier Road (PM 28.4).

Project Location - City: Ventura Project Location - County: Ventura

Description of Nature, Purpose and Beneficiaries of Project:

The project's scope includes: Cold planing Asphalt Concrete (AC) Pavement, then overlaying the pavement with Rubberized Hot Mix Asphalt- Gap Graded (RHMA-G) on the travelled way and shoulders, digging out and providing crack sealing to existing pavement, removing approximately 7000' of Metal Beam Guard Rail (MBGR) and replacing it with Midwest Guardrail System (MGS) with vegetation control and standard end treatments, installing 2 marked midblock crosswalks with stripping and two flashing beacons at PM 24.4 near Mondo's Beach, installing additional "No Parking" signs at crosswalks on the northbound right shoulder at PM 24.4, upgrading existing signs at various locations, provide shoulder backing and upgrading AC dikes, replacing existing drainage inlet grates with bicycle friendly grates, and adjusting utility manholes (Bell System) to grade. All work will be conducted within Caltrans' right of way.

Name of Public Agency Approving Project: Caltrans

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: 1(d)
Statutory Exemptions. State code number:

Reasons why project is exempt:

The project consists of minor alterations to existing highway features.

Lead Agency

Contact Person: Joshua Miller Area Code/Telephone/Extension: (213) 897-0309

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: 4.6.20 Title: 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 10 2020
STATE CLEARINGHOUSE

**CATEGORICAL EXEMPTION/CATEGORICAL EXCLUSION DETERMINATION FORM**

<b>07-VEN-1</b>	<b>21.2-28.4</b>	<b>32390</b>	<b>EFIS: 0716000072 CE:201909007</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.*)

Caltrans is proposing the VEN-1 Cold Plane and Overlay AC Pavement project on State Route-1 in Ventura County between State Beach Access Road (post mile (PM) 21.2) and Mobile Pier Road (PM 28.4). The project's scope includes: Cold planing Asphalt Concrete (AC) Pavement, then overlaying the pavement with Rubberized Hot Mix Asphalt- Gap Graded (RHMA-G) on the travelled way and shoulders, digging out and providing crack sealing to existing pavement, removing approximately 7000' of Metal Beam Guard Rail (MBGR) and replacing it with Midwest Guardrail System (MGS) with vegetation control and standard end treatments, installing 2 marked midblock crosswalks with stripping and two flashing beacons at PM 24.4 near Mondo's Beach, installing additional "No Parking" signs at crosswalks on the northbound right shoulder at PM 24.4, upgrading existing signs at various locations, provide shoulder backing and upgrading AC dikes, replacing existing drainage inlet grates with bicycle friendly grates, and adjusting utility manholes (Bell System) to grade. All work will be conducted within Caltrans' right of way.

**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

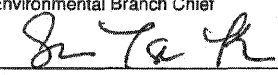

Based on an examination of this proposal, supporting information, and the above statements, the project is:

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

**Categorically Exempt. Class 1(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.

**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].)]

<p><b>Susan Tse-Koo</b>                  Print Name: Senior Environmental Planner or Environmental Branch Chief                    Signature</p>	<p><b>Joseph Kibe</b>                  Print Name: Project Manager                    Signature</p>
04.01.2020 Date	04/06/2020 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:

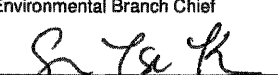
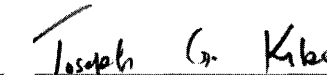
- does not individually or cumulatively have a significant impact on the environment as defined by NEPA, and is excluded from the requirements to prepare an Environmental Assessment (EA) or Environmental Impact Statement (EIS), and
- has considered unusual circumstances pursuant to 23 CFR 771.117(b).

**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)(26)**
- 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><b>Susan Tse-Koo</b>                  Print Name: Senior Environmental Planner or Environmental Branch Chief                    Signature</p>	<p><b>Joseph Kibe</b>                  Print Name: Project Manager/DLA Engineer                    Signature</p>
04.01.2020 Date	04/06/2020 Date

Date of Categorical Exclusion Checklist completion: 3.30.20      Date of ECR or equivalent : 3.30.20

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

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Continued from page 1:

**Environmental General:**

- If there are any changes to the project's scope or locations, an additional review by the Division of Environmental Planning will be required.
- The Division of Environmental Planning will be provided the Project Specifications & Expenditures (PS&E) package for review and comments.

**Biological Resources:**

- All work will be limited to the prism of the roadway. At no point will any construction equipment enter any drainages, creeks, or other waterways.
- There will be no clearing or grubbing of vegetation as a result of this project.
- The Division of Environmental Planning recommends that all cold planing and guardrail post installation occur outside of bird nesting season (February 15th through September 1st). Should those activities need to be performed during this period, the District Biologist, Mario Mariotta, must be notified two weeks prior to construction (at 213-897-9362 or Mario.Mariotta@dot.ca.gov) to determine if nesting birds are present. In the event that nesting birds are observed, the Resident Engineer (RE) shall pause work until a qualified biologist has determined that fledglings have left the nest. If this is not possible, the RE shall coordinate with the District Biologist to minimize the risk of violating the Migratory Bird Treaty Act (MBTA). Most likely, the District Biologist will recommend a buffer of 150 ft. for songbirds and a buffer of 500 ft. for raptors during all phases of construction. Nesting birds are protected under the MBTA and cannot be impacted by construction activities, including but not limited to noise, dust pollution, and habitat disturbance.
- Prior to the start of construction, all drain inlets and outlets must be protected with Best Management Practices (BMPs) to prevent paint, cleaning materials, and other debris from entering drainage courses. All appropriate Stormwater and Erosion Control BMPs will be incorporated into the project specifications.
- No asphalt grindings shall be used within 100 feet of any watercourse. Watercourse, for this purpose, is defined as any feature, either natural or man-made, which conveys water during any time of year. The limitation on asphalt use near waterways is restricted to shoulder backing.
- All pollution and litter laws and regulations will be followed by all personnel on site.

**Cultural Resources:**

- If previously unidentified cultural materials are unearthed during construction, work will be halted in that area until a qualified archeologist can assess the significance of the find.

**Hazardous Waste:**

- The contractor is required to prepare a project specific Lead Compliance Plan (LCP) to prevent or minimize worker exposure to lead while handling disturbed soil, AC, and residue from the removal of yellow thermoplastic traffic stripes.
- The removed AC and yellow traffic stripe material can be classified as non-hazardous and be relinquished to the contractor for possible recycling or disposal to a Class III waste disposal site.
- The wood posts from MBGR are considered Treated Wood Waste (TWW). The handling, storage, transportation, and disposal of TWW must comply with California hazardous waste regulations.
- The shims used in MBGR may be Asbestos Containing Material (ACM). An asbestos survey must be performed prior to disturbing the MBGR shims as a first order of work.

**Coastal Resources:**

- During PS&E, the Division of Environmental Planning will be provided the complete project information necessary to apply for a Coastal exemption/waiver. The application process is anticipated to take 6 months from initiation.