CATEGORICAL EXEMPTION/CATEGORICAL EXCLUSION DETERMINATION FORM

03-NEV-174	2.7-4.6	03-4F370	0314000152
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 proposes to realign the curves, widen shoulders, and improve the clear recovery area on State Route 174 in Nevada County from Maple Way to You Bet Road, post mile 2.74 to 4.63. The purpose of this project is to improve safety and operations for all users of the highway. This 1.9 mile segment of State Route 174 experienced a total of 30 collisions during a three year period, including two collisions involving fatalities. The observed total accident rate is almost 1.65 times higher than the statewide average for a similar type facility and the observed fatal accident rate is 7 times higher than the statewide average for a similar type facility.

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** . (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].)

N/A	N/A
Print Name: Senior Environmental Planner or Environmental Branch Chief	Print Name: Project Manager
N/A	N/A
Signature Date	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)(13)**
- ☐ **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.

Gail St. John	Sung Moon
Print Name: Senior Environmental Planner or Environmental Branch Chief	Print Name: Project Manager/DLA Engineer
Gail St John 9/2/16	9/2/16
Signature Date	Signature Date

Date of Categorical Exclusion Checklist completion: 9/2/16 | Date of ECR or equivalent : 9/2/16

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

Continued from page 1:

Farmlands/Timberlands

Avoidance and Minimization Measures

- Any farmland take will be minimized as much as possible.

Relocations and Real Property Acquisition

Avoidance and Minimization Measures

- Following project approval, Caltrans Right of Way staff will coordinate with affected property owners
- Property acquisition will be minimized as much as possible.

Utilities/Emergency Services

Avoidance and Minimization Measures

- It is anticipated that the Overhead PG&E and AT&T utility relocations will be minor in nature and short term. Typically the new poles are installed while the existing poles are still active. This limits the amount of time the utilities are shut off because they can be moved immediately onto the new poles. No disruption is expected for homeowners.
- Once potholing data is received, relocation or protect-in-place efforts will be coordinated between NID and Caltrans. If a disruption in service is anticipated all parties involved such as homeowners will be notified via letters, fliers, and door to door contact.

Traffic and Transportation/Pedestrian and Bicycle Facilities

Avoidance and Minimization Measures

Traffic handling charts and specifications will be incorporated into the project during the design phase that will be included as part of the Contractor's specification package in order to manage temporary construction delays. Elements that should be considered in the Transportation Management Plan (TMP) are:

- Restrictions on when lanes may be closed
- A Construction Zone Enhanced Enforcement Plan (COZEEP) with the CHP during major construction that affects traffic, such as stage changes and traffic shifts

Visual

Avoidance and Minimization Measures

- During the design stage of project, modify the alignment where possible to avoid taking out vegetation screen from homes that are in close proximity to route 174.
- If a retaining wall is needed, the surface shall be textured and colored to fit in context of the surrounding environment.

- Protect as many trees and as much screening vegetation as possible
- Minimize the gentle slopes and curve correction areas, re-vegetate where possible.
- All areas disturbed during construction shall receive permanent erosion control measures. All finished slopes and contour graded areas shall be hydroseeded with a permanent seed mix composed of native plant species indigenous to the areas. A Landscape Architect will prepare the erosion control plans and specifications.

Cultural Resources

Avoidance and Minimization Measures

- If cultural materials are discovered during construction, all earth-moving activity within and around the immediate discovery area will be diverted until a qualified archaeologist can assess the nature and significance of the find.

- If human remains are discovered, State Health and Safety Code Section 7050.5 states that further disturbances and activities shall stop in any area or nearby area suspected to overlie remains, and the County Coroner contacted. Pursuant to CA Public Resources Code (PRC) Section 5097.98, if the remains are thought to be Native American, the coroner will notify the Native American Heritage Commission (NAHC), which will then notify the Most Likely Descendent (MLD). At this time, the person who discovered the remains will contact Caltrans District 3 Environmental cultural staff so that they may 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.

Water Quality and Storm Water Runoff

Avoidance & Minimization Measures

In order to prevent erosion during construction activities and/or operations related to this project, the following actions are recommended:

- Follow all applicable guidelines and requirements in the 2015 Caltrans Standard Specifications (2015 CSS), Section 13, regarding water pollution control and general specifications for preventing, controlling, and abating water pollution in streams, waterways, and other bodies of water.

- The Contractor prepared Storm Water Pollution Prevention Plan (SWPPP) shall incorporate appropriate temporary construction site BMPs to implement effective handling, storage, use and disposal practices during construction activities.

- Consideration should be given to 2015 CSS, Section 13-4 (Job Site Management), to control potential sources of water pollution before it encounters any storm water system or watercourse. It

requires the Contractor to control material pollution, manage waste and non-storm water at the construction site.

- Existing drainage facilities should be identified and protected by the application of appropriate Construction Site BMPs.

- The disposal of non-storm water discharges from dewatering activities should be considered. The Central Valley Regional Water Quality Control Board has specific waste discharge requirements for specific types of low threat discharge to land. Resolution R5-2013-0145, "Waiver Of Reports Of Waste Discharge And Waste Discharge Requirements For Specific Types Of Discharge Within Central Valley Region" and Water Quality Order No. 2003-003-DWQ, "Statewide General Waste Discharge Requirements (WDRs) For Discharge To Land With A Low Threat to Water Quality (General WDRs)".

- The Caltrans' Storm Water Management Plan (SWMP), the Project Planning and Design Guide (PPDG) Section 4, and the Evaluation Documentation Form (EDF) provide detailed guidance in determining if a specific project requires the consideration of permanent Treatment BMPs.

- Caltrans NPDES Unit will participate in early project design consultation with Central Valley RWQCB if the project entails one or more acre of total soil disturbance.

- If Caltrans determines that all or any portion of on-site treatment for a project is infeasible on-site, the Project Engineer in consultation with the Design Storm Water Coordinator, shall prepare a proposal for Alternative Compliance for approval by the Regional Water Board Executive Officer or his designee until such time as a statewide process is approved by the Executive Director of the State Water Board. The proposal shall include documentation supporting the determination of infeasibility. Alternative Compliance may be achieved outside project limits within the Department's right of way, including within another Department project. Alternative Compliance to be achieved outside project limits shall include provisions for the long-term maintenance of such treatment facilities. Guidance for Alternative Compliance can be found in the Statewide Storm Water Management Plan and in the Storm Water Quality Handbook, Project Planning and Design Guide.

Hazardous Waste/Materials

Avoidance and Minimization Measures

Aerially Deposited Lead

The Contractor must implement a project specific Lead Compliance Plan prepared by a Certified Industrial Hygienist (CIH) as required by the California Occupational Safety and Health Administration (Cal/OSHA). The plan will detail the correct procedures for handling, removing, and disposing of earth materials containing lead and waste from removing traffic stripes and pavement markings.

All materials containing lead will be handled in accordance with all applicable laws, rules, and regulations, including those of the following agencies: Cal/OSHA, Central Valley RWQCB, and California Department of Toxic Substances Control (CA DTC).

All workers, including Caltrans staff, will receive lead compliance training before beginning any work that could potentially expose them to lead containing substances.

Asbestos

To prevent worker exposure to asbestos, Caltrans will require that the contractor submit an Asbestos Compliance Plan that will detail the correct procedures for handling, removing, and disposing of materials containing asbestos.

Treated Wood Waste

During the proposed project, any workers that have the potential to come in contact or handle TWW will be given training on the proper handling procedures and applicable laws, including procedures for identifying and segregating TWW, and proper disposal methods.

TWW will be properly labeled for easy identification, and stored within the project area in a secured lockable enclosure to prevent unauthorized access. The TWW will also be stored so that it is protected from precipitation, or any other sources of water, to prevent contaminating any water that could leave the site. All TWW that leaves the site will be documented and disposed of at an approved TWW facility.

Natural Communities

Avoidance and Minimization Measures

Sierra Nevada Mixed Conifer

- Tree removal will be avoided wherever possible
- Removal of any trees should be done outside of the bird nesting and bat roosting season (February 15 to September 1). Trees should be removed between September 2 and February 14.
- Exclusionary fencing shall be installed along the boundaries of the ESL to ensure that impacts outside of the construction zone are minimized.

Mitigation Measures

Valley-Foothill Riparian

The permanent loss of 0.02 acres of riparian habitat and temporary impacts of 0.09 acres will be mitigated through on-site restoration.

Wetlands and Other Waters

Avoidance, Minimization, and Mitigation Measures

Best management practices will be implemented to guarantee the smallest practical footprint to minimize temporary, and permanent impacts to jurisdictional waters of the United States. Work will be limited to when tributaries are dry. Wetlands not impacted by the project will be fenced with environmentally sensitive area fencing to prevent encroachment and impacts from the proposed project.

The permanent loss of 0.08 acres of jurisdictional wetlands and 0.03 acres of potentially jurisdictional waters of the United States will be mitigated by the purchase of credits at an approved mitigation bank or through "in-lieu-fee" mitigation. Temporary impacts for 0.01 acres of potentially jurisdictional waters of the United States will be mitigated through on-site restoration.

Animal Species

Avoidance and Minimization Measures

Foothill Yellow Legged Frog

The project has been designed to minimize effects on aquatic and riparian habitat identified in the study area. BMP's will be implemented to reduce water quality impacts, which may include placement of silt fencing or filter fabric along the banks of any affected waterway once the vegetation is removed. Construction activities would be implemented outside of the rainy season, which will reduce the potential for adverse impacts on the tributaries located in the study area. Additionally, avoidance and minimization measures implemented for the Western Pond Turtle will reduce/eliminate potential impacts to FYLF.

Western Pond Turtle

- Twenty-four hours prior to the commencement of construction activities, the project shall be surveyed for turtles, frogs, or any other aquatic species by a qualified biologist. The biologist will provide a written report that adequately documents the monitoring efforts within 24-hours of commencement of construction activities. The project shall be re-inspected by the monitoring biologist whenever a lapse in construction activity of two weeks or greater occur.

- Vegetation should be manually clipped to ground level and removed by hand, where possible, near the stream channel and riparian zone. The vegetation removal will be conducted with the presence of a qualified biologist who will monitor the area for the presence of WPT or other aquatic species.

- Following removal of vegetation, the work area will be fenced with frog exclusion fencing to prevent encroachment of frogs within the work area. A qualified biologist will determine the location of frog exclusion fencing placement and monitor its installation. The fencing shall be buried a minimum of six inches into the ground. The project limits will be flagged and/or signed to prevent the encroachment of construction personnel and equipment into any sensitive areas during project work. Animal exclusion fencing shall be checked once per week by construction personnel, trained by a qualified biologist, to identify weaknesses. All compromised portions shall be repaired and/or replaced immediately. Animal exclusion fencing shall be removed once the construction is completed or by October 15 of the construction year, whichever comes first.

- If WPT are found at any time during project work, construction will stop and CDFW will be contacted immediately for further guidance.

- Staging areas as well as fueling and maintenance activities shall be a minimum of 50 feet from riparian or aquatic habitats. The project proponent will prepare a spill prevention and clean-up plan.

- The project will administer Best Management Practices to protect water quality and control erosion.

- If a work site is to be temporarily dewatered by pumping, intakes shall be completely screened with wire mesh not larger than five millimeters. Water shall be released or pumped downstream at an appropriate rate to maintain downstream flows during construction. Ideally the animal exclusion fencing will tie into the outfall of the dewatering system at the ends of the project area to prevent a gap in the exclusion. A qualified biologist will be on site during the initial stages of any dewatering to monitor for WPT or other aquatic species in the work area.

- Upon completion of construction activities, any barriers to flow shall be removed in a manner that would allow flow to resume with the least disturbance to the substrate.

Invasive Species

Avoidance and Minimization Measures

- All construction equipment would be clean of potential noxious weed sources (mud, vegetation) before entering the project area, to help ensure noxious weeds from outside of the project area are not introduced into the project area.
- Equipment would be considered free of soil, seeds, and other such debris when a visual inspection does not disclose such material
- Only native plant species appropriate for the project area would be used in any erosion control or revegetation seed mix or stock. Certified weed-free straw would be required when erosion control straw is to be used. In addition, any hydro-seeded mulch used for revegetation activities must also be certified weed-free.
- Non-native plant control would consist of mechanical or spot chemical treatments of the selected most invasive plant species listed by the United States Department of Agriculture (USDA), California Exotic Pest Plant Council (CEPPC), and the California Invasive Plant Council (CALIPC) that if left untreated, would dominate the onsite revegetation area.

Construction Impacts

Avoidance and Minimization Measures

Air Quality

- Caltrans Standard Specifications, a required part of all construction contracts, should effectively reduce and control emission impacts during construction under the provisions of Section 7-1.02C "Emission Reduction" and Section 14-9.03 "Dust Control". Provision 14-9.02 "Air Pollution Control" requires the contractor to comply with all pertinent rules, regulations, ordinances, and statutes of the local air district.

Noise

During construction, noise may be generated from the contractors' equipment and vehicles. Caltrans requires the contractor to conform to the provisions of Standard Specification, Section 14-8.02 "Noise Control":

- Noise levels would not exceed 86 dBA LMax at 50 feet from the job site activities from 9 p.m. to 6 a.m.
- Equipment would include an internal combustion engine with manufacturer-recommended muffler
- An internal combustion engine would not be operated on the job site without the appropriate muffler