

**DEPARTMENT OF TRANSPORTATION**

DISTRICT 1, P. O. BOX 3700  
EUREKA, CA 95502-3700  
PHONE (707) 445-6410  
FAX (707) 441-2048  
TTY 711



*Serious drought.  
Help save water!*

November 18, 2015

Julie Neander  
City of Arcata  
Department of Public Works  
736 F Street  
Arcata, CA 95521

01-ARC-CR-0  
ATPL 5021(020)

**SUBJECT: Signed CE for Humboldt Bay Trail- North Project**

Dear Ms. Neander:

Attached is the signed CE for the Humboldt Bay Trail-North Project. See the attached CE and ECR for environmental commitments required during and after construction. If the project scope changes please notify us as the CE may no longer be valid and will require a revalidation. If you have any questions please feel free to contact me (707) 441-4566.

Sincerely,

A handwritten signature in blue ink, appearing to read "Jenna Larson".

Jenna Larson  
Associate Environmental Planner  
Office of Local Assistance

cc. Suzanne Theiss  
Brett Gronemeyer

# CATEGORICAL EXEMPTION/CATEGORICAL EXCLUSION DETERMINATION FORM

**01-ARC-CR-0**

**ATPL 5021(020)**

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.)

**Humboldt Bay Trail- North Project** See Continuation Sheet.

**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)

☐ **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: Environmental Branch Chief

Print Name: Project Manager/DLA Engineer

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 environmental assessment or environmental impact statement 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 June 07, 2013, 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)(3)**

☐ **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 CE under 23 USC 327.

**Brandon Larsen**

**Suzanne Theiss**

Print Name: Environmental Branch Chief

Print Name: Project Manager/DLA Engineer

Signature

Date

Signature

Date

Date of Categorical Exclusion Checklist completion: 11/9/15

Date of ECR or equivalent : 11/17/15

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

February 12, 2014

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

|  |           |                 |   |
|--|-----------|-----------------|---|
| <b>01-ARC-CR-0</b>   |           |                 | <b>ATPL 5021(020)</b>                               |
| Dist.-Co.-Rte. (or Local Agency)   | P.M./P.M. | E.A/Project No. | Federal-Aid Project No. (Local Project)/Project No. |
| Continued from page 1:   |           |                 |   |
| <b>Humboldt Bay Trail</b><br><b>ATPL 5021(020)</b><br><b>(City of Arcata Department of Public Works)</b> |           |                 |   |

***Project Description***

The proposed Humboldt Bay Trail Connectivity Project involves construction, operation, and maintenance of approximately 3.0 miles of Class I, ADA accessible, non-motorized multi-use trail. The proposed project corridor would run from just north of Route 255 at L Street, cross Route 255, continue through the Arcata Marsh and Wildlife Sanctuary and south along the North Coast Railroad Authority's railroad to 0.2 miles south of the Bayside Cutoff at the City of Arcata limits. The terminus is designed in such a manner that a recreational bicyclist/pedestrian can turn around and return to Arcata while a commuter bicyclist can continue from the trail to southbound US 101 without any disruptions. The northbound bicycle commuters can access the trail by crossing at Bayside Cutoff, travel approximately 0.2 mile southbound on existing 10 ft wide paved shoulder and use bicycle off ramp at the trail terminus. The project is west of Highway 101. The existing corridor includes two transportation arteries: the North Coast Railroad Authority's railroad right of way, and segments of City-owned road right of way.

Trail will include yellow centerline striping and additional warning signage and striping approaching intersections with existing roads and railroad crossings. In addition, signage will be added along the trail warning users of curves, bends, and other hazardous situations. Bollards used at trail intersections and entrances to prevent vehicles from entering a trail have a maximum separation of five feet between bollards. Bollards are located adjacent to the trail with a removable center bollard for emergency and maintenance access. Bollards are not located in travel lanes. Bollards are designed to be visible to bicyclists and others, especially at night time, with reflective materials and appropriate striping guiding bicyclists around the center bollards.

**Project Alignment, Segments, and Sub-segments**

The project is approximately 3.0 miles in length, and runs from the north side of Route 255 at L Street to the City limits at the southern end. The project is located in the City of Arcata and Humboldt County. For ease of reference, the project is arranged from north to south and described in detail below. In areas of complex intersections and water crossings, the segments are broken into sub-segments. This alignment was designed to be compliant with NCRA's Rail with Trail Guidelines and would preserve the tracks for potential future rail service.

***Segment 1***

Beginning at the terminus of Phase I on the north side of Samoa Boulevard and within the Samoa Boulevard crossing, the alignment would cross to the west side of a branch of the rail road tracks.

***Segment 2***

From Samoa Boulevard, the alignment would continue within the RR ROW southward along the west side of the railroad tracks.

***Segment 3.1 - Arcata Marsh North Entrance***

Upon reaching the City of Arcata Marsh and Wildlife Sanctuary, the alignment would leave the

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**Continuation Sheet**

RR ROW, and cross an emergent wetland on a proposed bridge with pilings to an existing earthen dike.

*Segments 3.2, 3.3 & 3.4 - Arcata Marsh*

The trail would continue along the dike, parallel to the railroad tracks and separated by the emergent wetland until reaching South I Street. The trail would cross South I Street, deviate to the west of railroad tracks, and follow an existing crushed gravel path parallel to South I Street. The trail would turn southeast, leave South I Street and continue through the Arcata Marsh and Wildlife Sanctuary until reaching the bridge at Butcher Slough north of the City's Wastewater Treatment Plant (WWTP).

*Segment 4*

*Segments 4.1 & 4.2 - Butcher Slough Crossing*

The trail would cross Butcher Slough on a proposed bridge. At the WWTP, the alignment would become parallel with the railroad tracks and South G Street, to either the east or west of the RR ROW.

*Segment 4.3 - South G Street*

Once past the WWTP Corp Yard entrance the alignment would re-enter the RR ROW and continue to travel southeast towards Highway 101.

*Segment 5.1*

The railroad tracks and the project alignment turn south and parallel Highway 101. The trail would continue within the RR ROW and either continue to run east of the tracks or cross from west of the tracks to east of the tracks immediately north of Gannon Slough. Also immediately north of the Gannon Slough Bridge, there would be an interpretive sign and viewing platform for the Humboldt Bay Wildlife Refuge which would be owned and operated by the FWS.

*Segment 5.2 & 5.3 - Gannon Slough Crossing*

The alignment would cross over Gannon Slough on a proposed new trail bridge between Highway 101 and the railroad bridge and remain within RR ROW east of the railroad tracks and west of Highway 101.

*Segment 5.4 - Jacoby Creek Crossing*

Immediately north of Jacoby Creek, the alignment would cross the drainage ditch between the tracks and Highway 101. Immediately south of the bridge, the alignment would cross back to the eastern portion of the RR ROW.

*Segment 5.5 & 5.6 - Old Jacoby Creek Crossing*

The alignment would continue within the RR ROW from Jacoby Creek to Old Jacoby Creek and cross Old Jacoby Creek on a proposed bridge to be placed atop structural pilings.

*Segment 5.7 & 5.8- Highway 101*

The alignment continues southward in the RR ROW between Highway 101 and the tracks. The trail will end approximately 1,050 feet south of the Bayside Cutoff, at the City of Arcata limits. The terminus design allows users to either return north to Arcata or to access the existing 101 shoulder via on ramp if they wish to continue south.

**Trail Surfaces**

Trail surfacing will consist of 2-inch Hot Mix Asphalt Paving (HMA) for the traveled way with gravel used for the shoulders.

**Trail Sub-Surfaces**

Trail sub-surfacing will generally consist of compacted aggregate base with an approximate depth of six to twelve inches.

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**Continuation Sheet**

**Project Width**

The project ranges in width from 12 feet to approximately 30 feet. The width of the project consists of three elements: the paved tread surface, the trail's shoulders, and (in some cases) a fill prism designed to bring the trail surface to a required grade or elevation. The minimum trail width will be 8 feet but will be 10 feet wherever possible.

**Intersections, Crossings, Trailheads, Ingress/Egress, and Other Access Points**

The project can be easily accessed at multiple locations throughout its length. The project intersects Samoa Blvd. and South I Street. In addition, the project passes through the Arcata Marsh and Wildlife Sanctuary where existing trails will link to the Rail with Trail project. An existing parking area on South G Street near the City of Arcata Corporation yard provides an additional access opportunity.

**Landscape Architecture**

Minimal landscaping of the trail is anticipated due to the existing natural setting of the site. Where adjacent native vegetation is disturbed it will be replaced, and areas will be revegetated with erosion control mix (using native seed mix with a sterile quick grow species).

**Lighting**

To maintain existing natural areas along the trail corridor and prevent potential impacts, lighting would not be installed along the natural areas of the trail in the Arcata Marsh and along the Bay.

**Modifications to Existing Utilities**

Where new paving or new surface work will occur over existing utilities, all necessary elements (existing valve boxes, manhole lids, electrical vaults, etc) will be raised to the new elevation of the trail surface. The project design does not conflict with existing utility poles and relocation of such facilities will not be necessary. Where existing storm drainage exists adjacent to the trail, no modifications to the inlets are anticipated to be needed as the trail will allow runoff from the trail to run under the trail via enter the existing storm drain system.

**Bridges, Culverts, and Other Water Crossings**

- Arcata Marsh Berm Bridge: This water crossing is at a location in which the City of Arcata recently created a berm around a constructed brackish wetland. The proposed bridge spans a large drainage channel, allowing the project to go from the elevated railroad prism to the elevated top of the berm. This drainage channel is not tidally influenced. The bridge consists of four equally-sized bridge decks totaling a 93 foot span. The bridge will be placed on concrete footings constructed at the edge of a wetland in the Arcata Marsh. Shading of the wetland under the bridge deck will occur and has been calculated as a permanent wetland impact. Several areas within the potential project boundaries are defined as "Waters of the U.S./State," including Butcher Slough, Gannon Slough, Jacoby Creek, and Old Jacoby Creek, and as such require water crossings.
- Butcher Slough: This water crossing is at an existing bridge near the City of Arcata waste water treatment plant (WWTP). The water under the bridge is tidally influenced (brackish) and receives up-gradient freshwater inputs from Jolly Giant Creek. The

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existing bridge over Butcher Slough will be retained and will be widened to 10 feet by addition of an overlay deck. Butcher Slough is brackish and receives freshwater input from Jolly Giant Creek about 100 feet northeast and upstream of the new bridge location. In the action area, Butcher Slough is approximately 60 feet wide and less than 10 feet deep, with a vertical tidal range of 1-3 feet. Some excavation near the water's edge to install risers or new concrete cast-in-place footings may be required. No new piles will be required at this location.

- **Gannon Slough:** Gannon Slough has two sets of tide gates upstream from the project (approximately 550' and approximately 1,250'). The water around the project is free-flowing. This open water slough is considered potential habitat for tidewater goby. Currently, two Caltrans' bridges span the water, as well as an existing railroad bridge. As a part of the proposed project, a new bridge with 180 foot span is proposed between the western-most Caltrans' bridge and the railroad bridge. This proposed bridge will require the installation of 16 new piles, 13 of which are proposed within the water (i.e., below 8.0 feet NAVD). Vibratory drivers will be used to install round cast-in-place steel shell piles. Shading of the water will occur under the bridge deck.
- **Jacoby Creek:** A new non-motorized bicycle/pedestrian bridge will be built as part of the proposed action at this location. Jacoby Creek is free flowing and tidally influenced. This creek is approximately 25 feet wide and less than 10 feet deep in the action area. Tidal influence can range from 1-5 feet. Just east of the proposed bridge location, upstream from the HWY 101 northbound lane, the stream corridor includes a dense riparian zone of over 100 feet wide in some locations upstream of the action area. To the west, Jacoby Creek flows freely into the HBNWR. Final designs for this bridge are currently in progress; however, the bridge design and construction techniques are anticipated to be similar to the Old Jacoby Creek bridge. Four (4) 18-20-inch diameter CISS piles will be installed by vibratory driver near the creek channel.
- **Old Jacoby Creek:** Old Jacoby Creek flows under the highway and is controlled by a tide gate with a large culvert. The water is tidally influenced and is potential habitat for tidewater goby. The new bridge will span approximately 124 feet. This bridge will require the installation of six new piles, two of which are proposed within the water (i.e., below 8.0 feet NAVD). Vibratory drivers will be used to install round cast-in-place steel shell piles. Shading of the water will occur under the bridge deck.

Design standards for the project require a 2% cross slope, except along cut sections where uphill water must be collected in a ditch and directed to a catch basin, in which case water is directed under the trail in a drainage pipe of suitable dimensions. Culverts or ADA compliant trench drains across the top of the trail may be necessary under the new trail bed.

**Construction Staging, Storage, and Access**

Equipment and materials used in the construction of the project will be stored on site within the limits of disturbance or in upland areas specifically designated by the City. Areas designated by the City for staging will not require any clearing or grubbing for use as a staging area. Staging areas, storage, and equipment parking will not occur within watercourse bed/bank, or channel.



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**Continuation Sheet**

The project staging areas have been defined in areas that are adjacent to the proposed trail and will not require additional temporary construction access routes.

***Traffic Control***

During construction along City ROW and when the trail crosses city streets and Route 255 as well as when working adjacent to HWY 101, there may be temporary lane closures and/or detours.

***Erosion and Sediment Control***

The project will require the contractor to submit a Water Pollution Control Plan (WPCP) or Stormwater Pollution Protection Plan (SWPPP) for approval before construction begins. Adequate implementation of BMPs, monitoring, and reporting methodologies will be required. Best management practices (BMPs) for erosion and sediment control will consist of the following:

- Construction will be conducted during the dry season (June 1 through October 15) when the chance of precipitation is lowest.
- The awarded contractor will prepare a site-specific Water Pollution Control Plan (WPCP) specific to the site.
- All stockpiles associated with the project will be covered with fabric or weed-free straw and will be isolated with silt fence, straw bales, or linear sediment barriers (earthen berms).
- Disturbed downslope areas will be protected with silt fence during construction.
- Once construction is complete, any disturbed soil will be seeded with a mixture of fast-growing native and sterile hybrid grasses and straw mulched. Fiber rolls will be installed along all constructed or reconstructed banks at centers not to exceed 10 ft.
- Equipment fueling and maintenance activities will be performed in pre-designated areas, with containment and clean-up BMPs onsite at all times.

***Environmental Analysis***

**Cultural Resources**

An Archaeological Survey Report (ASR) was completed in January 2014 and no archaeological resources were found within the Area of Potential Effects (APE). A Historical Resources Evaluation Report was completed in March 2014 and it was determined that no properties within the APE are eligible for inclusion in the National Register of Historic Places (NRHP). A Historic Property Survey Report (HPSR) was completed in September 2015 and a Finding of No Historic Properties Affected was determined for this undertaking. The HPSR was sent to the State Historic Preservation Officer (SHPO) on September 28, 2015 and concurrence was received on October 29, 2015.

**Biological Resources**

NMFS provided a Letter of Concurrence (LOC) on September 22, 2015 for Caltrans' conclusion that the proposed project "may affect, but is not likely to adversely affect" California Coastal ESU Chinook salmon, Northern California DPS steelhead, SONCC ESU coho salmon, and southern DPS green sturgeon, and, "may affect, but is not likely to adversely affect" designated critical habitat for SONCC ESU coho salmon, California Coastal ESU Chinook salmon,

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Northern California Coast DPS steelhead, and southern DPS green sturgeon. NMFS also concurred that the proposed project “may adversely affect” Essential Fish Habitat (EFH) for Pacific salmon inhabiting the waterways of Humboldt Bay. A Natural Environment Study (NES) was prepared in October 2015 and includes measures to meet the Programmatic LOC from USFWS for tidewater goby to reduce the effects on this listed species. Conservation recommendations from both LOC’s will be followed and are included in the attached Environmental Commitments Record (ECR).

***Wetland Mitigation***

A wetland delineation was prepared in 2010 and found that jurisdictional waters occupy 9.13 acres of the BSA. A Wetlands Only Practicable Alternative Finding was included in the NES and it is determined that there is no practicable alternative to the proposed construction in wetland and that the proposed action includes all practicable measures to minimize harm to wetlands which may result from such use. A Wetland and Habitat Mitigation and Monitoring Plan (MMP) has been prepared to ensure compensation for filling of wetlands as a result of the project. The MMP incorporates habitat replacement for direct impacts to wetland areas. Wetland impacts have been minimized where possible. Caltrans is pursuing a restoration project using multiple parcels in the Arcata Bottoms that will be used for wetland mitigation for future projects. Caltrans agreed to allow the City to utilize a portion of the restoration project for the mitigation of wetlands loss from this trail project. Caltrans and the City met with California Coastal Commission (CCC) staff to discuss this coordination effort. CCC staff agree that this mitigation parcel will suffice to offset impacts to coastal wetlands as a result of this project.

**Floodplain**

The project will not result in any longitudinal or significant encroachment on the 100-year flood plain.

**Hazardous Waste**

Known impacted soils and groundwater contamination is not anticipated to be encountered within the trail corridor if excavation does not occur immediately adjacent to the sites documented in the hazardous waste memorandum dated January 13, 2014. If excavation does occur immediately adjacent to these sites, soil and groundwater contamination may be encountered based on the description and history of the listed sites and the shallow depth to groundwater in the area. The City protocol for addressing sites with known contaminants will be as listed under in the Environmental Commitment Record.

**Section 4(f)**

The proposed trail runs through two different Section 4(f) properties, the Arcata Marsh and Wildlife Sanctuary and the Humboldt Bay National Wildlife Refuge. A de minimis finding was made for both properties since the trail will not adversely affect the activities, features, or attributes of the 4(f) resource. A posting was put up at each location for 30 days in August 2015 to allow for comments and no comments were received.

**Visual**

Review of the project location and project plans indicate that the project will not result in substantial adverse impacts to the visual environment. Native revegetation and other amenities are designed to minimize visual impacts and will improve aesthetics along the more urbanized



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

section of the trail.

**Noise**

While noise levels will increase during construction, most of the project is not near sensitive receptors and levels will return to ambient levels once construction is complete.

***Environmental Commitments***

See attached Environmental Commitment Record (ECR)

***Permits***

The following permits will be required prior to construction:

- 1600 Streambed Alteration Agreement from CDFW
- 404 Nationwide Permit from ACOE
- 401 Water Quality Certification from RWQCB
- Coastal Development Permit from Coastal Commission
- Construction Encroachment Permit from North Coast Railroad Authority (NCRA)
- Encroachment Permit from Caltrans

| Rail With Trail Project  |   |                     |                                  |                   |  |                                 |
|--|---|---------------------|----------------------------------|-------------------|--|---------------------------------|
| Environmental Commitment Record  |   |                     |                                  |                   |  |                                 |
| Project Name   | City of Arcata Rail with Trail Connectivity Project | Federal Project No. |                                  | Notes:            |  |                                 |
| Contact  | Julie Neander, (707) 825-2151                       | ATPL 5021 (020)     |                                  |                   |  |                                 |
| <b>Project Description:</b> The City of Arcata is planning to construct, operate and maintain an approximately 4.5-mile long Class I, ADA accessible, non-motorized, multiuse paved trail. According to the American Association of State Highway Transportation Officials, a Class I Trail is a paved or unpaved non-motorized facility physically separated from motorized vehicular traffic by an open space or barrier. The northern 3.25 miles of the project are located in the City of Arcata and the southern 1.25 miles are located in the County of Humboldt, south of the City. The proposed trail alignments would run from northern Arcata at Larson Park through the City and the Arcata Marsh and Wildlife Sanctuary, along the eastern edge of Humboldt Bay, southward to the Highway 101 and Bracut intersection. |   |                     |                                  |                   |  |                                 |
| <b>NOTE:</b> This following table is intended as a summary guide to environmental commitments and is meant to be a living document. Much of the information presented was gathered during the CEQA process prior to the issuance of regulatory permits. It does not replace or supersede any environmental commitments made in technical studies or correspondence prior to CEQA clearance. If there are any discrepancies between this table and technical studies/permits, then the technical studies/permits will take precedence. Typically, environmental commitments related to regulatory permits will be added to this document once permits are authorized.   |   |                     |                                  |                   |  |                                 |
| PERMITS REQUIRED   | Agency  | Permit Number       | Date of Permit                   | Project Component |  |                                 |
| Section 7 ESA  | NMFS  | Programmatic LOC    | 9/22/2015                        |                   |  |                                 |
| Section 7 ESA  | USFWS   | Programmatic LOC    |                                  |                   |  |                                 |
| Section 404 Nationwide Permit 14   | USACE   | Pending             |                                  |                   |  |                                 |
| Section 401 Water Quality Certification  | RWQCB   | Pending             |                                  |                   |  |                                 |
| Section 1602 Streambed Alteration Agreement  | CDFW  | Pending             |                                  |                   |  |                                 |
| Coastal Development Permit - State   | CCC   | Pending             |                                  |                   |  |                                 |
|  |   |                     |                                  |                   |  |                                 |
| Task and Brief Description   |   |                     | Document                         | Timing/Phase      | Actions to Comply with Task  | Task Completion<br>Initial Date |
| <b>Aesthetics Mitigation #1 - Revegetate areas exposed to project-related earthwork</b><br>Revegetate exposed areas and replant native tree species.   |   |                     |                                  |                   |  |                                 |
|  |   |                     | CEQA document;                   |                   | <ul style="list-style-type: none"> <li>• Soils and slopes exposed due to project-related earthwork shall be re-vegetated with native ground cover, understory species, and trees.</li> <li>• Trees shall be replaced with native species on a 1:1 basis along the trail where possible and along James Creek riparian areas lacking riparian cover to offset loss of vegetation associated with trail development.</li> </ul>  |                                 |
| <b>Biological Mitigation #1 - Minimize impacts to water bodies and sensitive fish species</b><br>Impacts to water bodies and sensitive fish species from ground disturbing construction activities within the channels and/or below the HTLs of Butcher's Slough, Gannon Slough, Old Jacoby Creek and Brainerd's Slough shall be curtailed as much as possible with minimization and avoidance measures and conservation measures.   |   |                     |                                  |                   |  |                                 |
|  |   |                     | CEQA document; BA; NMFS LOC; NES |                   | <u>Minimization avoidance measures:</u> <ul style="list-style-type: none"> <li>• Isolate pile installations, bridge footing installations and other ground disturbing activities within the channel or below the HTL from flowing water;</li> <li>• Implement BMPs to avoid sedimentation and polluted runoff draining into creeks;</li> <li>• Use of vibratory pile driving as opposed to the use of impact hammers in or near water;</li> <li>• To minimize the potential for transmission of sound waves through the water, vibratory pile driving will be scheduled between the latter 2-hours of outgoing tides and beginning 2-hours of incoming tides so that no piles will be placed in the water;</li> <li>• Limit operation to periods when precipitation is not expected and non-spawning seasons for the sensitive fish species within these water bodies (July 1 - September 30).</li> </ul>  |                                 |
| <b>Biological Mitigation #2 - Minimize impacts to special status plant species</b><br>Efforts shall be made to avoid Humboldt Bay Owl's clover, Point Reyes bird's beak and Sand spurrey during trail construction.  |   |                     |                                  |                   |  |                                 |
|  |   |                     | CEQA document; NES               |                   | <ul style="list-style-type: none"> <li>• Construction schedules will be planned for times when these plants are dormant or have dropped their seed.</li> <li>-- Should construction occur when these plants are present, the area will be surveyed and any individual plants of these types will be flagged.</li> <li>-- Impacted plants of these types will be replaced on a 1:1 basis at sites adjacent to the trail corridor or in the proposed mitigation areas determined suitable by a qualified botanist.</li> </ul>  |                                 |
| <b>Biological Mitigation #3 - Minimize impacts to special status and migratory bird species</b><br>The City of Arcata shall take precautions to avoid impacts to sensitive avian species within the project area.  |   |                     |                                  |                   |  |                                 |
|  |   |                     | CEQA document; NES               |                   | <ul style="list-style-type: none"> <li>• Grading and other construction activities shall be scheduled to avoid the nesting season (March - August) to the extent possible.</li> <li>• <u>Pre-construction surveys shall be conducted by a qualified biologist for:</u> Willow Flycatcher, Black-capped Chickadee, Warbling Vireo, Yellow-breasted Chat, and Yellow Warblers within the Shay Park area, and for sensitive migratory waterfowl and shorebird species in the sloughs to be crossed by the proposed trail.</li> <li>--These surveys shall be conducted no more than 7 days prior to initiation of construction activities.</li> <li>--Biologist shall inspect all potential nesting habitat for migratory bird nests where project activities could result in disturbance, including areas of direct impact plus an area extending at least 100 ft. from the perimeter of the project area.</li> <li>• <u>If the survey finds these species to be nesting within the vicinity of the proposed trail:</u></li> <li>---Construction shall be delayed until the end of the nesting season of these species; or</li> <li>--A 150-foot wide buffer shall be established around occupied nests where no construction activities may occur until the young have fledged.</li> <li>--A qualified biologist shall monitor any active nests for disturbance and evidence of fledging during construction and until the young have fledged, and submit status reports to CDFW throughout the nesting season.</li> </ul> |                                 |

|   |  |  |   |  |  |
|---|--|--|---|--|--|
| <b>Biological Mitigation #4 - Minimize impacts to and replace lost riparian habitat</b><br>The City of Arcata shall take measures to reduce potential impacts to riparian habitat and will replace impacted wetlands based on the City of Arcata Wetland Mitigation and Monitoring Plan (designed to meet applicable regulatory agency requirements). | CEQA document;<br>BA; NMFS LOC;<br>NES |  | <ul style="list-style-type: none"> <li>• Pre-construction planning to minimize width of construction disturbance zone;</li> <li>• Worker access to bay mud will be on boards;</li> <li>• Installation of exclusionary fencing along boundaries of riparian areas;</li> <li>• Replanting of disturbed riparian areas using grasses and forbs found in the action area;</li> <li>• Revegetation monitoring shall be implemented in accordance with the Wetlands and Habitat Mitigation and Monitoring Plan (Winzler and Kelly 2011, updated 2014);</li> <li>• Replace the acreage of jurisdictional wetlands to be permanently impacted by the proposed trail with the creation of comparable on-site wetlands on a 1:1 basis;</li> <li>• Include an estuarine wetland enhancement component of 2:1 for impacted acres of wetlands;</li> <li>• Revegetate in a way that reflects the native plant species within the wetland types to be mitigated;</li> <li>• Maintain the wetlands for a minimum of 5 years.</li> </ul>   |  |  |
| <b>Biological Mitigation #5 - Pre-construction Surveys</b><br>Pre-construction surveys shall be conducted by a qualified biologist for sensitive plant and animal species on and within the vicinity of the proposed on-site wetland mitigation sites.  | CEQA document;                         |  | If the surveys find sensitive species, the City shall: <ul style="list-style-type: none"> <li>• Adhere to the biologist's recommendations to avoid significant impacts to these species</li> <li>• Conduct any consultations with, and obtain any permits that may be required from, applicable regulatory agencies.</li> </ul>   |  |  |
| <b>Biological Mitigation #6 - Prevention of spread of invasive species</b><br>The City shall take measures to avoid the spread of invasive species. These shall include guidance provided by the State of California Aquatic Invasive Species Management Plan (CDFG 2008).  | BA; NMFS LOC;<br>NES                   |  | <ul style="list-style-type: none"> <li>• Equipment used for off-road construction activities will be weed-free prior to entering action area;</li> <li>• Any mulches or fill used will be weed-free;</li> <li>• Any vegetative material used for revegetation will consist of sterile seed and/or locally adapted native plant materials to the extent practical;</li> <li>• Any equipment (including boots/waders) and construction equipment shall be properly disinfected or cleaned according guidance provided by the State of CA Aquatic Invasive Species Management Plan, prior to in-water work.</li> </ul>   |  |  |
| <b>Biological Mitigation #7 - Erosion and sedimentation control.</b><br>Erosion and sedimentation control measures shall be implemented during construction of project area. These measures shall conform to provisions in the City's Stormwater Erosion Control Ordinance and Sections 20-2 and 20-3 of the Caltrans Standard Specifications.        | NES                                    |  | <ul style="list-style-type: none"> <li>• Construction will be conducted from July 1st - September 30th to minimize potential for rainfall events;</li> <li>• For upland construction activities that must take place during the late-fall, winter, or spring (e.g. to avoid avian nesting periods), temporary erosion and sediment control structures shall be in place and operational at the end of each construction day until permanent erosion control structures are in place;</li> <li>• Exclusionary fencing will be installed around environmentally sensitive and other areas that do not need to be disturbed;</li> <li>• Weed-free mulch shall be applied to disturbed area within 10 days of ground disturbing activities;</li> <li>• Suitable BMPs, such as silt fences, straw wattles or catch basins, shall be placed below construction activities at waters' edge to intercept sediment;</li> <li>• Sediment build-up at the base of BMPs will be removed before BMP removal</li> <li>• Spoil sites shall be located so as not to drain directly into surface water feature, or, if it does drain directly, a catch basin shall be constructed to intercept sediment;</li> <li>• Spoil sites shall be graded and revegetated to reduce erosion potential.</li> <li>• Sediment control measures shall be in place prior to the onset of the rainy season and shall be monitored and maintained in good working condition until revegetation</li> </ul> |  |  |
| <b>Biological Mitigation #8 - Air Quality/Dust Control</b><br>The Contractor shall implement a dust control program to limit fugitive dust emissions.   | NES                                    |  | <b>Dust control program shall include:</b> <ul style="list-style-type: none"> <li>• Watering inactive construction sites and exposed stockpile sites at least twice daily (including non-work days) or until soils are stable;</li> <li>• In accordance with CA Vehicle Code, vehicles hauling soil/other loose materials from construction site shall be covered or should maintain at least 6 in. of freeboard;</li> <li>• Any topsoil removed during operations shall be stored on-site in piles 4 feet or less in height and be clearly marked;</li> <li>• Topsoil piles that will not be immediately returned to use shall be revegetated with a non-persistent erosion control mixture;</li> <li>• Soil piles for backfill shall be flagged separately from native topsoil stockpiles and surrounded by sediment barriers (silt fencing, straw wattles, etc.) or covered, unless they are to be immediately used;</li> <li>• Equipment or manual watering shall be conducted on all stockpiles, dirt/gravel roads, and exposed or disturbed soil surface areas until soils are stable to reduce airborne dust.</li> </ul>   |  |  |

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| <b>Biological Mitigation #9 - Management of Human Disturbance</b>  |                |  |  |  |  |
| The City of Arcata shall manage visitor use and recreation in and around the project area to avoid disturbance of wildlife foraging and roosting along Arcata Marsh, WWTP, HBNWR, Humboldt Bay and associated wildlife habitats.   | NES            |  | <b>Management shall include:</b> <ul style="list-style-type: none"> <li>Establishment of view and access sites that allow the public to see and access these areas for recreation and wildlife viewing;</li> <li>Posting signs to thereby discourage access in other sites;</li> </ul> The number and physical distribution of these access sites shall be designated in a manner that encourages appreciation for the flora and fauna of the area while reducing disturbance and other activities that are detrimental to vegetation and wildlife.  |  |  |
| <b>Cultural Mitigation # 1 - Monitoring for archaeological and paleontological artifacts</b>   |                |  |  |  |  |
| Earth-moving and excavation activities will be monitored for presence of archaeological or paleontological artifacts. This mitigation shall also be implemented at the wetlands sites.   | CEQA document; |  | If activities uncover suspected cultural resources, <ul style="list-style-type: none"> <li>Activities shall be stopped immediately;</li> <li>Any suspected cultural resources sites will be inspected by a qualified archaeologist, and any reporting/curation/ preservation recommendations made by the archaeologist will be implemented.</li> </ul>   |  |  |
| <b>Cultural Mitigation # 2 - Monitoring for presence of human remains</b>  |                |  |  |  |  |
| Earth-moving and excavation activities will be monitored for presence of human remains. This mitigation shall also be implemented at the wetlands sites.   | CEQA document; |  | If human remains are uncovered, <ul style="list-style-type: none"> <li>Construction activities in the immediate vicinity of the remains shall be halted;</li> <li>All appropriate parties (City of Arcata Planning Department, Humboldt County Coroner, Native American Heritage Commission and the relevant Native American representative(s)) shall be notified</li> <li>The remains shall be treated in accordance with all applicable federal, state, local and tribal requirements.</li> </ul>  |  |  |
| <b>Cultural Mitigation #3 - NCIC records search and reconnaissance</b>   |                |  |  |  |  |
| A NCIC records search and reconnaissance (e.g., surface) level archaeological/paleontological field survey of the mitigation wetlands sites prior to development of the wetlands will be conducted by a qualified archaeologist.   | CEQA document; |  | If the records search indicates the existence of archaeological or paleontological resources, or if such resources are found during the field survey and determined to be "significant" or "unique" as defined by CEQA, required mitigation shall be identified by the consultant and implemented by the City prior to construction (including potentially subsurface investigations).   |  |  |
| <b>Geological Mitigation #1 - Supplemental geotechnical report for High School property</b>  |                |  |  |  |  |
| Prior to project activities that would impact the slope on the High School property, the City of Arcata shall have a Supplemental Geotechnical Report prepared for this area.  | CEQA document; |  | Implement any slope stability and bank stabilization recommendations made in the report.   |  |  |
| <b>Hazards Mitigation #1 - Pre-construction soil borings to characterize soil and groundwater</b>  |                |  |  |  |  |
| Pre-construction soil borings shall be conducted to characterize the soil and groundwater. Laboratory analytical results of samples collected from these borings shall be utilized to ascertain whether health and safety concerns are present and to determine necessary soil and/or groundwater disposal options.  | CEQA document; |  | Conduct pre-construction soil borings at the following locations: <ul style="list-style-type: none"> <li>Adjacent to the NCRA ROW where the alignment follows the RR track; and</li> <li>Adjacent to Reliable Equipment Co. on the corner of 11th and L Streets.</li> </ul> Determine necessary soil/groundwater disposal options based on results of sample analysis.   |  |  |
| <b>Hazards Mitigation #2 - Monitoring for soil contaminations and Phase II Environmental Site Assessment, if needed</b>  |                |  |  |  |  |
| Project construction contractors shall be vigilant for any evidence of soil contamination or hazardous materials and report to the City of Arcata. If contamination is found, the City shall have the site remediated to the satisfaction of the applicable federal, state and county regulatory agencies.   | CEQA document; |  | Contractor shall report to the City of Arcata: <ul style="list-style-type: none"> <li>Any evidence of potential soil contamination</li> <li>Unearthing or storage drums</li> <li>Other potential sources of hazardous materials/wastes.</li> </ul> If determined by the City to be warranted, <ul style="list-style-type: none"> <li>A Phase II Environmental Site Assessment shall be conducted, including:               <ul style="list-style-type: none"> <li>a hazardous materials field survey,</li> <li>borings,</li> <li>and soil testing to determine if hazardous materials contamination is present, and if so, the spatial extent of the contamination.</li> </ul> </li> </ul> |  |  |
| <b>Hazards Mitigation #3 - Testing for contamination prior to dewatering</b>   |                |  |  |  |  |
| If de-watering is required during construction within 300 feet of any of the recorded hazardous materials/waste sites with the potential to be impacted by the project, the City shall have the water proposed for removal tested for contamination prior to dewatering activities. Any dewatering activities will be conducted in compliance with the Caltrans Field Guide for Construction Site Dewatering and Section 13-14.03G of the Caltrans Standard Specifications (2010). | CEQA document; |  | <ul style="list-style-type: none"> <li>If the water is found to contain regulated contaminants, the City shall have the water remediated to the satisfaction of the applicable federal, state and county regulatory agencies prior to removal.</li> <li>Water removed from coffered work areas shall be pumped to a temporary sediment retention basin outside of the channel, through a mechanized water filtration system, or into Baker tanks of similar storage system and trucked offsite to an authorized disposal site.</li> </ul>  |  |  |

|  |                      |   |  |  |
|--|----------------------|---|--|--|
| <b>Hazards Mitigation #4 - Phase I Environmental Site Assessment</b><br>The City of Arcata shall have a Phase I Environmental Site Assessment conducted by a qualified engineer or hazardous materials consultant of the mitigation wetlands sites prior to development of the wetlands.   | CEQA document;       | <ul style="list-style-type: none"> <li>• A Phase I Environmental Site Assessment shall be conducted.</li> <li>• If the Phase I indicates that un-remediated hazardous materials sites are listed by government records as occurring on the mitigation wetlands sites, or if the field survey finds hazardous materials contains/tanks or evidence of hazardous materials contamination, required mitigation shall be identified by the consultant and implemented by the City prior to construction.</li> </ul>   |  |  |
| <b>Hazards Mitigation #5 - Prevention of accidental spills.</b><br>The City of Arcata shall include measures to reduce potential impacts to vegetation and aquatic habitat resources in the action area associated with accidental spills of pollutants. All work will be conducted in accordance with Caltrans Storm Water Quality Handbook for Construction Site Best Management Practices Manual. | BA; NMFS LOC;<br>NES | <u>Measures shall include:</u> <ul style="list-style-type: none"> <li>• A site-specific spill prevention plan shall be implemented for potentially hazardous materials (hazmat) -- plan shall include proper handling/storage of hazmats and procedures for cleaning/reporting any spills;</li> <li>• If necessary, containment berms shall be constructed to prevent spilled materials from reaching surface water features;</li> <li>• Equipment and hazmat shall be stored 100 ft. away from surface water features;</li> <li>• Proper and timely maintenance of vehicles and equipment used -- maintenance and fueling shall be conducted at least 100 ft. away from waterways or within a fueling containment area;</li> <li>• Plastic materials shall be placed under asphaltic concrete paving equipment while not in use to catch and/or contain drips and leaks;</li> <li>• Minimization of sand and gravel from any new asphalt getting into storm drains, streets, and creeks by sweeping -- old or spilled asphalt will be recycled or disposed as approved by the Resident Engineer;</li> <li>• Petroleum of petroleum covered aggregate (from chip seal application or sweeping operations), AC grindings, pieces or chunks used in embankments or shoulder backing will be prevented from entering any storm drain or water course -- silt fencing shall be used until installation is complete;</li> <li>• Use of non-toxic substances to coat asphalt transport trucks and asphalt spreading equipment;</li> <li>• Drainage inlet structures and manholes shall be covered with filter fabric during application of seal, coat, tack coat, slurry seal, and/or fog seal -- these substances shall not be applied if rainfall is predicted during the application or curing period;</li> <li>• Use of non-toxic vegetable oil for operating hydraulic equipment, rather than use of conventional hydraulic fluids.</li> <li>• If dewatering is not required for other purposes, removal of seepage water in the coffered areas may be ceased after new abutment concrete is poured and is curing (for at least 72 hours) within the form structures, provided that pH of water inside cofferdam enclosures does not exceed a difference of 0.5 pH units from that of ambient water quality in main slough channel. If the difference is greater than 0.5 units, water levels within the coffered areas will be kept below the level of the concrete abutment forms and pumped to temporary</li> </ul> |  |  |

## Categorical Exclusion Checklist

Dist/Co/Rte/PM: 01-ARC-CR-0      Fed. Aid No. (Local Project): ATPL 5021(020)      EA/Project No.:

### SECTION 1: TYPE OF CE: Use the information in this section to determine the applicable CE and corresponding activity for this project.

**1. Project is a CE under CE Assignment 23 USC 326.**      ☒ Yes      ☐ No

*If "yes", check applicable activity in one of the three tables below (activity must be listed in 23 CFR 771.117 (c) or (d) list or included in activities listed in Appendix A of the CE Assignment MOU to be eligible for 23 USC 326).*

#### Activity Listed in 23 CFR 771.117(c)

- |                |                                     |  |
|----------------|-------------------------------------|--|
| 1              | <input type="checkbox"/>            | Activities which do not involve or lead directly to construction such as planning and research activities; grants for training; engineering to define the elements of a proposed action or alternatives so that social, economic, and environmental effects can be assessed; and Federal-aid system revisions which establish classes of highways on the Federal-aid highway system.   |
| 2              | <input type="checkbox"/>            | Approval of utility installations along or across a transportation facility.   |
| 3              | <input checked="" type="checkbox"/> | Construction of bicycle and pedestrian lanes, paths, and facilities.   |
| 4              | <input type="checkbox"/>            | Activities included in the State's <i>highway safety plan</i> under <a href="#">23 U.S.C 402</a> .   |
| 5              | <input type="checkbox"/>            | Transfer of Federal lands pursuant to 23 U.S.C 107(d) and/or 23 U.S.C 317 when the land transfer is in support of an action that is not otherwise subject to FHWA review under NEPA.   |
| 6              | <input type="checkbox"/>            | The installation of noise barriers or alterations to existing publicly owned buildings to provide for noise reduction.   |
| 7              | <input type="checkbox"/>            | Landscaping.   |
| 8              | <input type="checkbox"/>            | Installation of fencing, signs, pavement markings, small passenger shelters, traffic signals, and railroad warning devices where no substantial land acquisition or traffic disruption will occur.   |
| 9 <sup>1</sup> |                                     | <p>The following actions for transportation facilities damaged by an incident resulting in an emergency declared by the Governor of the State and concurred in by the Secretary, or a disaster or emergency declared by the President pursuant to the Robert T. Stafford Act (42 U.S.C 5121)<sup>2</sup>:</p> <p><input type="checkbox"/> (i) Emergency repairs under 23 U.S.C 125;</p> <p><input type="checkbox"/> (ii) The repair, reconstruction, restoration, retrofitting, or replacement of any road, highway, bridge, tunnel, or transit facility (such as a ferry dock or bus transfer station), including ancillary transportation facilities (such as pedestrian/bicycle paths and bike lanes), that is in operation or under construction when damaged and the action:</p> <p style="padding-left: 20px;">(A) Occurs within the existing right-of-way and in a manner that substantially conforms to the preexisting design, function, and location as the original (which may include upgrades to meet existing codes and standards as well as upgrades warranted to address conditions that have changed since the original construction); and</p> <p style="padding-left: 20px;">(B) Is commenced within a 2-year period beginning on the date of the declaration.</p> |
| 10             | <input type="checkbox"/>            | Acquisition of scenic easements.   |
| 11             | <input type="checkbox"/>            | Determination of payback under 23 U.S.C 156 for property previously acquired with Federal-aid participation.   |
| 12             | <input type="checkbox"/>            | Improvements to existing rest areas and truck weigh stations.  |
| 13             | <input type="checkbox"/>            | Ridesharing activities.  |
| 14             | <input type="checkbox"/>            | Bus and rail car rehabilitation.   |
| 15             | <input type="checkbox"/>            | Alterations to facilities or vehicles in order to make them accessible for elderly and handicapped persons.  |
| 16             | <input type="checkbox"/>            | Program administration, technical assistance activities, and operating assistance to transit authorities to continue existing service or increase service to meet routine changes in demand.   |
| 17             | <input type="checkbox"/>            | The purchase of vehicles by the applicant where the use of these vehicles can be accommodated by existing facilities or by new facilities which themselves are within a CE.  |
| 18             | <input type="checkbox"/>            | Track and railbed maintenance and improvements when carried out within the existing right-of-way.  |
| 19             | <input type="checkbox"/>            | Purchase and installation of operating or maintenance equipment to be located within the transit facility and with no significant impacts off the site.  |

<sup>1</sup> On the CE form, distinguish between c9i or c9ii

<sup>2</sup> Include copy of the emergency declaration in the file



## Categorical Exclusion Checklist

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|--|--|
| Dist/Co/Rte/PM: 01-ARC-CR-0      Fed. Aid No. (Local Project): ATPL 5021(020)      EA/Project No.: |  |
| 20   | <input type="checkbox"/> Promulgation of rules, regulations, and directives.   |
| 21   | <input type="checkbox"/> Deployment of electronics, photonics, communications, or information processing used singly or in combination, or as components of a fully integrated system, to improve the efficiency or safety of a surface transportation system or to enhance security or passenger convenience. Examples include, but are not limited to, traffic control and detector devices, lane management systems, electronic payment equipment, automatic vehicle locaters, automated passenger counters, computer-aided dispatching systems, radio communications systems, dynamic message signs, and security equipment including surveillance and detection cameras on roadways and in transit facilities and on buses.   |
| 22 <sup>3</sup>  | <input type="checkbox"/> "Projects, as defined in 23 U.S.C. 101, that would take place entirely within the existing operational right-of-way. Existing operational right-of-way refers to right-of-way that has been disturbed for an existing transportation facility or is maintained for a transportation purpose. This area includes the features associated with the physical footprint of the transportation facility (including the roadway, bridges, interchanges, culverts, drainage, fixed guideways <sup>4</sup> , mitigation areas, etc.) and other areas maintained for transportation purposes such as clear zone, traffic control signage, landscaping, any rest areas with direct access to a controlled access highway, areas maintained for safety and security of a transportation facility, parking facilities with direct access to an existing transportation facility, transit power substations, transit venting structures, and transit maintenance facilities. Portions of the right-of-way that have not been disturbed or that are not maintained for transportation purposes are not in the existing operational right-of-way." Existing operational right-of-way also does not include areas outside those areas necessary for existing transportation facilities such as uneconomic remnants, excess right-of-way that is secured by a fence to prevent trespassing, <i>or that are acquired and held for a future transportation project</i> . A transportation facility must already exist at the time of the review of the proposed project being considered for the CE. This precludes the acquisition of right-of-way and the subsequent use of this CE to build within that right-of-way. |
| 23 <sup>5</sup>  | <input type="checkbox"/> Federally-funded projects: Enter project cost \$      and Federal funds \$<br><div style="margin-left: 20px;"> <input type="checkbox"/> (i) That receive less than \$5,000,000 of Federal funds; or<br/> <input type="checkbox"/> (ii) With a total estimated cost of not more than \$30,000,000 and Federal funds comprising less than 15 percent of the total estimated project cost.         </div>  |
| 24   | <input type="checkbox"/> Localized geotechnical and other investigation to provide information for preliminary design and for environmental analysis and permitting purposes, such as drilling test bores for soil sampling; archeological investigations for archeology resources assessment or similar survey; and wetland surveys.  |
| 25   | <input type="checkbox"/> Environmental restoration and pollution abatement actions to minimize or mitigate the impacts of any existing transportation facility (including retrofitting and construction of stormwater treatment systems to meet Federal and State requirements under sections 401 and 402 of the Federal Water Pollution Control Act (33 U.S.C. 1341; 1342)) carried out to address water pollution or environmental degradation.  |
| 26   | <input type="checkbox"/> Modernization of a highway by resurfacing, restoration, rehabilitation, reconstruction, adding shoulders, or adding auxiliary lanes (including parking, weaving, turning, and climbing lanes), if the action meets the constraints in paragraph (e) of this section [771.117(e)]. <b>Note: In order to use this CE, certain constraints must be met. <a href="#">Complete Section 1, Item 3 below.</a></b>  |
| 27   | <input type="checkbox"/> Highway safety or traffic operations improvement projects, including the installation of ramp metering control devices and lighting, if the project meets the constraints in paragraph (e) of this section [771.117(e)]. <b>Note: In order to use this CE, certain constraints must be met. <a href="#">Complete Section 1, Item 3 below.</a></b>   |
| 28   | <input type="checkbox"/> Bridge rehabilitation, reconstruction, or replacement or the construction of grade separation to replace existing at-grade railroad crossings, if the actions meet the constraints in paragraph (e) of this section [771.117(e)]. <b>Note: In order to use this CE, certain constraints must be met. <a href="#">Complete Section 1, Item 3 below.</a></b>  |
| 29   | <input type="checkbox"/> Purchase, construction, replacement, or rehabilitation of ferry vessels (including improvements to ferry vessel safety, navigation, and security systems) that would not require a change in the function of the ferry terminals and can be accommodated by existing facilities or by new facilities which themselves are within a CE.  |
| 30   | <input type="checkbox"/> Rehabilitation or reconstruction of existing ferry facilities that occupy substantially the same geographic footprint, do not result in a change in their functional use, and do not result in a substantial increase in the existing facility's capacity. Example actions include work on pedestrian and vehicle transfer structures and associated utilities, buildings, and terminals.   |
| <b>Activity Listed in Examples in 23 CFR 771.117(d)</b>  |  |
| 1  | <i>Reserved.</i>   |
| 2  | <i>Reserved.</i>   |
| 3  | <i>Reserved.</i>   |
| 4  | <input type="checkbox"/> Transportation corridor fringe parking facilities.  |

<sup>3</sup> On the CE form, identify in the project description that all work is within operation right-of-way.

<sup>4</sup> "Fixed Guideway" means a public transportation facility using and occupying a separate right-of-way for the exclusive use of public transportation such as rail, a fixed catenary system (light rail, trolley, etc.) passenger ferry system, or for a bus rapid transit system.

<sup>5</sup> On the CE form, distinguish between c23i or c23ii.

## Categorical Exclusion Checklist

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| <b>Dist/Co/Rte/PM:</b> 01-ARC-CR-0 <b>Fed. Aid No. (Local Project):</b> ATPL 5021(020) <b>EA/Project No.:</b>   |  |
| 5 <input type="checkbox"/>  | Construction of new truck weigh stations or rest areas.  |
| 6 <input type="checkbox"/>  | Approvals for disposal of excess right-of-way or for joint or limited use of right-of-way, where the proposed use does not have significant adverse impacts.   |
| 7 <input type="checkbox"/>  | Approvals for changes in access control.   |
| 8 <input type="checkbox"/>  | Construction of new bus storage and maintenance facilities in areas used predominantly for industrial or transportation purposes where such construction is not inconsistent with existing zoning and located on or near a street with adequate capacity to handle anticipated bus and support vehicle traffic.  |
| 9 <input type="checkbox"/>  | Rehabilitation or reconstruction of existing rail and bus buildings and ancillary facilities where only minor amounts of additional land are required and there is not a substantial increase in the number of users.  |
| 10 <input type="checkbox"/>   | Construction of bus transfer facilities (an open area consisting of passenger shelters, boarding areas, kiosks and related street improvements) when located in a commercial area or other high activity center in which there is adequate street capacity for projected bus traffic.  |
| 11 <input type="checkbox"/>   | Construction of rail storage and maintenance facilities in areas used predominantly for industrial or transportation purposes where such construction is not inconsistent with existing zoning and where there is no significant noise impact on the surrounding community.  |
| 12 <input type="checkbox"/>   | <p>Acquisition of land for hardship or protective purposes. Hardship and protective buying will be permitted only for a particular parcel or a limited number of parcels. These types of land acquisition qualify for a CE only where the acquisition will not limit the evaluation of alternatives, including shifts in alignment for planned construction projects, which may be required in the NEPA process. No project development on such land may proceed until the NEPA process has been completed.</p> <p>(i) Hardship acquisition is early acquisition of property by the applicant at the property owner's request to alleviate particular hardship to the owner, in contrast to others, because of an inability to sell his property. This is justified when the property owner can document on the basis of health, safety or financial reasons that remaining in the property poses an undue hardship compared to others.</p> <p>(ii) Protective acquisition is done to prevent imminent development of a parcel which may be needed for a proposed transportation corridor or site. Documentation must clearly demonstrate that development of the land would preclude future transportation use and that such development is imminent. Advance acquisition is not permitted for the sole purpose of reducing the cost of property for a proposed project</p> |
| 13 <input type="checkbox"/>   | Actions described in paragraphs (c)(26), (c)(27), and (c)(28) of this section that do not meet the constraints in paragraph (e) of this section.   |
| <b>Activity Listed in Appendix A of the CE Assignment MOU for State Assumption of Responsibilities for Categorical Exclusions</b>   |  |
| 1 <input type="checkbox"/>  | Construction, modification, or repair of storm water treatment devices (e.g., detention basins, bioswales, media filters, infiltration basins), protection measures such as slope stabilization and other erosion control measures throughout California.  |
| 2 <input type="checkbox"/>  | Replacement, modification, or repair of culverts or other drainage facilities.   |
| 3 <input type="checkbox"/>  | Projects undertaken to assure the creation, maintenance, restoration, enhancement, or protection of habitat for fish, plants, or wildlife (e.g., revegetation of disturbed areas with native plant species; stream or river bank revegetation; construction of new, or maintenances of existing fish passage conveyances or structures; restoration or creation of wetlands).  |
| 4 <input type="checkbox"/>  | Routine repair of facilities due to storm damage, including permanent repair, to return the facility to operational condition that meets current standards of design and public health and safety without expanding capacity (e.g., slide repairs, construction or repair of retaining walls).   |
| 5 <input type="checkbox"/>  | Routine seismic retrofit of facilities to meet current seismic standards and public health and safety standards without expansion of capacity.   |
| 6 <input type="checkbox"/>  | Air space leases that are subject to Subpart D, Part 710, title 23, Code of Federal Regulations.   |
| 7 <input type="checkbox"/>  | Drilling of test bores/soil sampling to provide information for preliminary design and for environmental analyses and permitting purposes.   |
| <p><b>2. Project is a CE for a highway project under NEPA Assignment 23 USC 327.</b>      <input type="checkbox"/> Yes      <input checked="" type="checkbox"/> No</p> <p><i>(Use only if project does not qualify under CE Assignment 23 USC 326 [activities not included in three previous lists above].)</i></p> |  |

## Categorical Exclusion Checklist

Dist/Co/Rte/PM: 01-ARC-CR-0      Fed. Aid No. (Local Project): ATPL 5021(020)      EA/Project No.:

**3. This section must be completed in order to use a CE under 771.117(c)(26), (c)(27), or (c)(28). If any of the answers are "Yes" the action MAY NOT be processed under 771.117(c)(26), (c)(27), or (c)(28). These constraints are found in 771.117(e). If these constraints cannot be met, the action MAY NOT be processed under 771.117(c)(26), (c)(27), or (c)(28); however, the project may qualify for a CE under 771.117(d)(13).**

Does the action include any of the following?

- A. ☐ Yes ☐ No: An acquisition of more than a minor amount of right-of-way or that would result in any residential or nonresidential displacements;
- B. ☐ Yes ☐ No: A bridge permit from the U.S. Coast Guard; OR  
An action that does not meet the terms and conditions of a U.S. Army Corps of Engineers nationwide or general permit under section 404 of the Clean Water Act (i.e., does the project require a Standard 404 permit [Individual Permit or Letter of Permission]? ) AND/OR  
A permit required under Section 10 of the Rivers and Harbors Act of 1899
- C. ☐ Yes ☐ No: A finding of "adverse effect" to historic properties under the National Historic Preservation Act; OR  
The use of a resource protected under 23 U.S.C. 138 or 49 U.S.C. 303 (section 4(f)) except for actions resulting in *de minimis* impacts; OR  
A finding of "may affect, likely to adversely affect" threatened or endangered species or critical habitat under the Endangered Species Act;
- D. ☐ Yes ☐ No: Construction of temporary access, or the closure of existing road, bridge, or ramps, that would result in major traffic disruptions;
- E. ☐ Yes ☐ No: Changes in access control;
- F. ☐ Yes ☐ No: A floodplain encroachment other than functionally dependent uses (e.g., bridges, wetlands) or actions that facilitate open space use (e.g., recreational trails, bicycle and pedestrian paths); OR  
Construction activities in, across or adjacent to a river component designated or proposed for inclusion in the National System of Wild and Scenic Rivers.

### 4. Independent Utility and Logical Termini

☒ The project complies with NEPA requirements related to connected actions and segmentation (i.e. the project must have independent utility, connect logical termini when applicable, be usable and be a reasonable expenditure even if no additional transportation improvements in the area are made and not restrict further consideration of alternatives for other reasonably foreseeable transportation improvements). (FHWA Final Rule, "Background," *Federal Register* Vol. 79, No. 8, January 13, 2014.)

### 5. Categorical Exclusions Defined (23 CFR 771.117[a]).

FHWA regulation 23 CFR 771.117(a) defines categorical exclusions as actions which:

- do not induced significant impacts to planned growth or land use for the area;
- do not require the relocation of significant numbers of people;
- do not have a significant impact on any natural, cultural, recreational, historic or other resources;
- do not involve significant air, noise, or water quality impacts;
- do not have significant impacts on travel patterns; or
- do not otherwise, either individually or cumulatively, have any significant environmental impacts.

☒ Checking this box certifies that project meets the above definition for a Categorical Exclusion.

### 6. Exceptions to Categorical Exclusions/Unusual Circumstances (23 CFR 771.117[b]).

FHWA regulation 23 CFR 771.117(b) provides that any action which normally would be classified as a CE but could involve *unusual circumstances* requires the Department to conduct appropriate environmental studies to determine if the CE classification is proper. Unusual circumstances include actions that involve:

- Significant environmental impacts;
- Substantial controversy on environmental grounds;
- Significant impact on properties protected by section 4(f) of the DOT Act or section 106 of the National Historic Preservation Act; or
- Inconsistencies with any Federal, State, or local law, requirement or administrative determination relating to the environmental aspects of the action.

**All of the above unusual circumstances have been considered in conjunction with this project. (Please select one.)**

☒ Checking this box certifies that **none of the above conditions apply** and that the project qualifies for a Categorical Exclusion.

☐ Checking this box certifies that **unusual circumstances are involved**. However, the appropriate studies/analysis have been completed, and it has been determined that the CE classification is still appropriate.



## Categorical Exclusion Checklist

Dist/Co/Rte/PM: 01-ARC-CR-0      Fed. Aid No. (Local Project): ATPL 5021(020)      EA/Project No.:

### **SECTION 2: Compliance with FHWA NEPA policy to complete all other applicable environmental requirements<sup>6</sup> prior to making the NEPA determination:**

During the environmental review process for which this CE was prepared, all applicable environmental requirements were evaluated. Outcomes for the following requirements are identified below and fully documented in the project file.

#### **Air Quality**

- ☒ Air Quality Conformity Findings Checklist has been completed and project meets all applicable AQ requirements.
- ☐ For 23 USC 326 projects which require an air quality conformity determination (certain projects under 23 CFR 771.117(c)(22) and (23), list the date of the Caltrans conformity determination: \_\_\_\_\_
- ☐ For 23 USC 327 projects, list date of FHWA concurrence on conformity determination: \_\_\_\_\_

#### **Cultural Resources**

- ☒ Section 106 compliance is complete-select appropriate finding:
- ☐ Screened Undertaking    ☒ No Historic Properties Affected    ☐ No Adverse Effect    ☐ Adverse Effect/MOA

#### **Noise**

23 CFR 772

- ☒ Is this a Type 1 project?    ☐ Yes;    ☒ No (skip this section.)
- ☐ Future noise levels with project either approach or exceed NAC or result in a substantial increase
- If yes,    ☐ Abatement is reasonable and feasible    ☐ Abatement is not reasonable or feasible

#### **Waters, Wetlands**

- Section 404 of the Clean Water Act  
Impacts to Waters of the US:    ☒ Yes    ☐ No  
If yes, approval anticipated:  
☒ Nationwide Permit    ☐ Individual Permit    ☐ Regional General Permit    ☐ Letter of Permission
- Wetland Protection (Executive Order #11990)  
☐ No wetland impact  
☒ Wetland Impact; Only Practicable Alternative Finding is included in a separate document in the project file
- Section 401 of the Clean Water Act  
☐ Exemption    ☒ Certification

#### **Floodplains**

- Floodplains (Executive Order #11988)  
☐ No Floodplain Encroachment    ☒ No Significant Encroachment    ☐ Significant Encroachment

#### **Biology**

- ☐ No Section 7 Needed
- Section 7 (Federal Endangered Species Act) Consultation Findings (Effect determination)  
☐ No Effect    ☒ Not Likely to Adversely Affect with FWS/NOAA Concurrence Date: 9/22/15  
☐ Likely to Adversely Affect with Biological Opinion Date: \_\_\_\_\_
  - Essential Fish Habitat (Magnuson-Stevens Act) Findings (Effect determination):  
☐ No Effect    ☐ No Adverse Effect    ☒ Adverse Effect and consultation with NOAA Fisheries

<sup>6</sup> Please consult the SER for a complete list of applicable laws, statutes, regulations, and executive orders that must be considered before completing the CE.

## Categorical Exclusion Checklist

### Section 4(f) Transportation Act (23 CFR 774)

- Section 4(f) regulation was considered as a part of the review for this project and a determination was made:
  - ☐ Section 4(f) does not apply  
(Project file includes documentation that property is not a Section 4(f) property, that project does not use a Section 4(f) property, or that the project meets the criteria for the temporary occupancy exception.)
  - ☒ Section 4(f) applies
    - ☒ De Minimis
    - ☐ Programmatic: Type \_\_\_\_\_ (List one of the five appropriate categories as defined in 23 CFR 774.3)
    - ☐ Individual: ☐ Legal Sufficiency Review complete ☐ HQ Coordinator Review Complete
- Section 6(f)—Was the above property purchased with grant funds from the Land and Water Conservation Fund?
  - ☒ No, Section 6(f) does not apply. No additional documentation required.
  - ☐ Yes ☐ Documentation of approval from National Park Service Director (through California State Parks) has been received for the conversion/and replacement of 6(f) property.

### Coastal Zone

Coastal Zone Management Act of 1972

- ☐ Not in Coastal Zone ☐ Qualifies for Exemptions ☐ Qualifies for Waiver ☒ Coastal Permit Required
- ☐ Consistent with Federal State and Local Coastal Plans ☐ Federal Consistency Determination

### Relocation and Right of Way

- ☒ No Relocations
- ☐ Project involves \_\_\_\_\_ (#) relocations and will follow the provisions of the Uniform Relocation Act.
- ☐ No right of way acquisitions or easements.
- ☒ Project involves 0 (#) acquisitions and 2 (#) easements.

### Hazardous Waste and Materials

- Are hazardous materials or contamination exceeding regulatory thresholds (as set by U.S. EPA, Cal EPA, County Environmental Health, etc) present? ☒ Yes ☐ No
  - If yes, is the nature and extent of the hazardous materials or contamination fully known? ☒ Yes ☐ No
- If no, briefly discuss the plan for securing information:

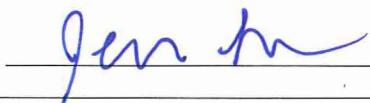
### SECTION 3: Certification

Based on the information obtained during environmental review process and included in this checklist, the project is determined to be a Categorical Exclusion pursuant to the National Environmental Policy Act and is in compliance with all other applicable environmental laws, regulations, and Executive Orders.

Prepared by  
(print name): Jenna Larson

Title: Associate Environmental Planner

Signature<sup>7</sup>:



Date: 11/9/15

<sup>7</sup> Please note that this form cannot be completed by the Senior Environmental Planner or Branch Chief that is signing the CE/CE form.