

# Notice of Exemption

## Appendix E

**To:** Office of Planning and Research  
P.O. Box 3044, Room 113  
Sacramento, CA 95812-3044

County Clerk

County of: Humboldt

**From:** (Public Agency): CA Dept. of Transportation  
1656 Union Street  
Eureka, CA 95501

(Address)

Project Title: Boyd Draw Bike Path

Project Applicant: California Department of Transportation

Project Location - Specific:

U.S. Highway 101 in Humboldt County at post mile 89.40

Project Location - City: Arcata

Project Location - County: Humboldt

Description of Nature, Purpose and Beneficiaries of Project:

The project would construct a bike path under Route 101 at post mile 89.40 within the city of Arcata in Humboldt County. The project would connect Heindon Road with Wymore Road. This project would provide connectivity for bicyclists using the local road system paralleling the highway. The project would require approximately 0.28 acres of right of way acquisition along the west side of Route 101. Construction of the proposed 470-foot long bike path would require RSP and vegetation removal, fence installation, grading, and placement of imported borrow, aggregate base, and HMA. Construction of an approximately 380-foot long new access road for the affected property would also be included in the project.

Name of Public Agency Approving Project: California Department of Transportation

Name of Person or Agency Carrying Out Project: same

Exempt Status: **(check one):**

- ☐ Ministerial (Sec. 21080(b)(1); 15268);
- ☐ Declared Emergency (Sec. 21080(b)(3); 15269(a));
- ☐ Emergency Project (Sec. 21080(b)(4); 15269(b)(c));
- ☒ Categorical Exemption. State type and section number: Common Sense Exemption 14 CCR 15061[b][3]
- ☐ Statutory Exemptions. State code number: \_\_\_\_\_

Reasons why project is exempt:

The project does not fall within a exempt class, but it can be seen with certainty that there is no possibility that the activity would have a significant effect on the environment. Project consists of the creation of a bicycle lane which would not result in a serious or major disturbance to an environmental resource.


Lead Agency

Contact Person: Felicia Zimmerman

Area Code/Telephone/Extension: \_\_\_\_\_

**If filed by applicant:**

1. Attach certified document of exemption finding.
2. Has a Notice of Exemption been filed by the public agency approving the project? ☐ Yes ☐ No

Signature:  Date: 8/8/2023 Title: Associate Environmental Planner

☐ Signed by Lead Agency ☐ Signed by Applicant

Authority cited: Sections 21083 and 21110, Public Resources Code.  
Reference: Sections 21108, 21152, and 21152.1, Public Resources Code.

Date Received for filing at OPR: \_\_\_\_\_



**CEQA EXEMPTION / NEPA CATEGORICAL EXCLUSION  
DETERMINATION FORM (rev. 11/2020)**

**Project Information**

**Project Name (if applicable):** Boyd Draw Bike Path

**DIST-CO-RTE:** 01-HUM-101

**PM/PM:** 89.40

**EA:** 01-0K510

**Federal-Aid Project Number:** N/A

**Project Description**

The proposed project would construct a bike path under Route 101 at post mile 89.40 within the city of Arcata in Humboldt County. The project is being proposed to connect Heindon Road with Wymore Road. This project would provide connectivity for bicyclists using the local road system paralleling the highway. The project would require approximately 0.28 acres of right of way acquisition along the west side of Route 101. Construction of the proposed 470-foot long bike path would require RSP and vegetation removal, fence installation, grading, and placement of imported borrow, aggregate base, and HMA. Construction of an approximately 380-foot long new access road for the affected property would also be included in the project. Biological, cultural, water quality, visual, noise, hazardous waste, greenhouse gas and energy use impacts analyses have been completed for the project.

**Caltrans CEQA Determination** (Check one)

☐ **Not Applicable** – Caltrans is not the CEQA Lead Agency

☐ **Not Applicable** – Caltrans has prepared an IS or EIR under CEQA

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

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

☐ **Categorically Exempt. Class** Enter class. (PRC 21084; 14 CCR 15300 et seq.)

☐ No exceptions apply that would bar the use of a categorical exemption (PRC 21084 and 14 CCR 15300.2). See the [SER Chapter 34](#) for exceptions.

☒ **Covered by the Common Sense Exemption.** This project does not fall within an exempt class, but it can be seen with certainty that there is no possibility that the activity may have a significant effect on the environment (14 CCR 15061[b][3].)

**Senior Environmental Planner or Environmental Branch Chief**

Felicia Zimmerman

08/04/2023

Print Name

Signature

Date

**Project Manager**

Caren Coonrod

08/04/2023

Print Name

Signature

Date



## CEQA EXEMPTION / NEPA CATEGORICAL EXCLUSION DETERMINATION FORM

### Caltrans NEPA Determination (Check one)

☒ **Not Applicable**

Caltrans 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). See [SER Chapter 30](#) for unusual circumstances. As such, the project is categorically excluded from the requirements to prepare an EA or EIS under NEPA and is included under the following:

☐ **23 USC 326:** Caltrans has been assigned, and hereby certifies that it has carried out the responsibility to make this determination pursuant to 23 USC 326 and the Memorandum of Understanding dated April 18, 2019, executed between FHWA and Caltrans. Caltrans has determined that the project is a Categorical Exclusion under:

☐ **23 CFR 771.117(c): activity (c)(Enter activity number)**

☐ **23 CFR 771.117(d): activity (d)(Enter activity number)**

☐ **Activity Enter activity number listed in Appendix A of the MOU between FHWA and Caltrans**

☐ **23 USC 327:** Based on an examination of this proposal and supporting information, Caltrans has determined that the project is a Categorical Exclusion under 23 USC 327. The environmental review, consultation, and any other actions required by applicable Federal environmental laws for this project are being, or have been, carried out by Caltrans pursuant to 23 USC 327 and the Memorandum of Understanding dated December 23, 2016 and executed by FHWA and Caltrans.

### Senior Environmental Planner or Environmental Branch Chief

Felicia Zimmerman

08/04/2023

Print Name

Signature

Date

### Project Manager

Caren Coonrod

08/04/2023

Print Name

Signature

Date

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

**Date of Environmental Commitment Record or equivalent:** 7/21/2023

Briefly list environmental commitments on continuation sheet if needed (i.e., not necessary if included on an attached ECR). Reference additional information, as appropriate (e.g., additional studies and design conditions).



## CEQA EXEMPTION / NEPA CATEGORICAL EXCLUSION DETERMINATION FORM

### **Continuation sheet:**

The following measures have been included as part of the project:

- Water quality Best Management Practices (BMP) would be utilized for water quality.
- A spill prevention and control plan would be developed by the contractor and approved by Caltrans prior to the commencement of work.
- Standard Invasive Species measures would be implemented. All equipment would be clean (free of dirt/mud, seeds or vegetation from other project sites) prior to entering the project site.
- Vegetation removal would occur outside bird breeding season. If vegetation removal is necessary during breeding season a nesting bird survey would be conducted prior to removal.
- Noise from work activities would not exceed 86 dBA LMax at 50 feet from the job site activities from 9 pm to 6 am.
- Any identified Environmentally Sensitive Areas (ESA) would be protected during construction.
- A Lead Compliance Plan would be required for soil disturbance and removal.