



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

**Project Information**

**Project Name (if applicable):**

**DIST-CO-RTE:** 04-SF-80

**PM/PM:** 4.9

**EA:** 00000

**Federal-Aid Project Number:** 000000000

**Project Description**

A Director's Order is requested to convert a highly visible blighted parcel at the 5<sup>th</sup> St/SR80 interchange to an active tree nursery and education site with the City of San Francisco Bureau of Urban Forestry and their non-profit partners. Proposed project construction work involves installing security fencing, gates, driveways and vehicle access, and electrical and water service. All proposed work will take place within the Caltrans right of way (ROW). **See Conditions on page 3**

**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 1d.** (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**

Michael McGowan

Print Name

*Michael McGowan*

Signature

11/22/2021

Date

**Project Manager**

Monique Nguyen

Print Name

*Monique Nguyen*

Signature

11/22/2021

Date



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Caltrans NEPA Determination (Check one)

[X] 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)
[ ] 23 CFR 771.117(d): activity (d)
[ ] Activity 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

N/A

Print Name

Signature

Date

Project Manager/ DLA Engineer

N/A

Print Name

Signature

Date

Date of Categorical Exclusion Checklist completion: 11/22/21
Date of Environmental Commitment Record or equivalent: 11/22/21

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).



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DETERMINATION FORM**

**Continuation sheet:**

**Cultural**

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

**Bio**

All construction work to remain within Caltrans right-of-way. Equipment shall be staged within Caltrans right-of-way in an area absent of vegetation. If additional work is added to the project increasing the scope of work and size or nature of disturbed area then the entire project will have to be re-evaluated and at a minimum resulting in an amended environmental document.

# ENVIRONMENTAL CERTIFICATION

DIST/CO/RTE/PM: 04/SF/80/4.9

EA/Project No: 00000/0000000000

**A. Environmental Documentation**

- NEPA compliance type: CE  FONSI  Approval Date: \_\_\_\_\_  
     EIS  Approval Date: \_\_\_\_\_ ROD Date: \_\_\_\_\_
- CEQA compliance type: CE  ND/MND  EIR  Approval Date: 11/22/21
- Supplemental or new document needed (NEPA) Yes  No  Date: \_\_\_\_\_
- Addendum, Supplemental, or Subsequent (CEQA) Yes  No  Date: \_\_\_\_\_
- NEPA determination checked for validity/Re-evaluation Approval Date(s): \_\_\_\_\_  
*(The Re-Validation form serves as the required consultation for all NEPA documentation including CEs in accordance with [23 CFR 771.129](#).)*

B. Do Environmental Construction Windows Apply? Yes  No

**C. Each of the following conditions must be true in order to complete this certification:**

- All environmental commitments that belong in this PS&E are included.
- All actions in this PS&E are covered by the approved environmental documentation, which remains valid.
- All environmental permits, licenses, agreements, and certifications (PLACs) are complete. Project PLACs are listed below:

Agency	Type	Issue Date	Expiration Date
N/A	N/A	N/A	N/A

D. Environmental Commitment Record has been prepared: Date: 11/22/21

E. Environmental Commitment Record has been updated: Yes  Date: \_\_\_\_\_ No

*I certify that, for environmental purposes, this project is ready to list, and, as applicable, Caltrans has fully carried out all environmental responsibilities assumed under 23 USC 326 or 23 USC 327 for this project in accordance with NEPA Assignment and applicable federal laws, regulations, and policies.*

<i>Michael McGowan</i>	11/22/21
Environmental Branch Chief (sign name)	Date
Michael McGowan	
Environmental Branch Chief (print name)	

Changes to this PS&E submittal shall be discussed with the signature authority and may require an updated environmental certification. This project may be advertised for contract award. If the project has not been advertised within twelve months of the date of Environmental Certification, this Environmental Certification expires and a new certification or update is required.

Certification expiration date is 11/22/2022.

# Environmental Commitment Record

PROJECT MANAGER:	Monique Nguyen	510-286-4446
PROJECT ENGINEER:	James Hsaio	510-622-8810
RESIDENT ENGINEER:		

DATE:	11/22/2021
CO. RTE. PM:	SF/80/4.9
EA / ID:	00000/0000000000

**PROJECT DESCRIPTION:** Convert a highly visible blighted parcel at the 5th St/SR80 interchange, postmile 4.9, to an active tree nursery and education site with the City of San Francisco Bureau of Urban Forestry and their non-profit partners.

	Ref.	NSSP Y/N	Responsible Staff	Timing	Action Taken	Date
CDFG 1602	N/A					
Emergency Notification	N/A					
1602 Maint. Exempt (M24-67)	N/A					
BCDC: Bay Fill Permit	N/A					
BCDC: Pub. Access Review	N/A					
BCDC: Maint. Exempt (Append I, 1978)	N/A					
CCC Coastal Dev. permit	N/A					
CCC Emerg. Permit	N/A					
State Lands Lease Agreement	N/A					
RWQCB: NPDES	N/A					
RWQCB: Water Qual. Cert.	N/A					
Endangered Species Act <sup>1</sup>	N/A					
Consultation	N/A					
USACE 404: Nationwide	N/A					
Emergency Permit	N/A					
USACE 404: Individual	N/A					
USACE Section 10 Permit	N/A					
Noise Attenuation	N/A					
Water Quality	N/A					
Hazardous Materials Investigation/Treatment	N/A					
Archaeological	N/A	NO	Cultural Specialist	During Work	If previously unidentified cultural resources are unearthed during construction/tree removal, then work shall be halted in that area until a qualified archaeologist can assess the significance of the discovery.	
General Conditions/Biology	N/A	NO	Biologist	During Work	All construction work to remain within Caltrans right-of-way. Equipment shall be staged within Caltrans right-of-way in an area absent of vegetation. If additional work is added to the project increasing the scope of work and size or nature of disturbed area then the entire project will have to be re-evaluated and at a minimum resulting in an amended environmental document.	
Visual/Landscape	N/A					
Community/Social	N/A					
Construction	N/A					

by Environmental Maintenance  
before finalization.  
 Attachments

**Michael McGowan**  
**Branch Chief**  
**Office of Environmental Maintenance**

*Michael McGowan*  
**11/22/2021**  
**Date**