

NEPA/CEQA RE-VALIDATION FORM

DIST./CO./RTE.	04/CC/CCTA
PM/PM	N/A
E.A. or Fed-Aid Project No.	CML 6072 (028)
Other Project No. (specify)	CML 5437 (030)
PROJECT TITLE	Iron Horse Trail Pedestrian and Bike Overcrossing
ENVIRONMENTAL APPROVAL TYPE	NEPA 326 CE
DATE APPROVED	April 3, 2020
REASON FOR CONSULTATION (23 CFR 771.129)	<i>Check reason for consultation:</i> <input type="checkbox"/> Project proceeding to next major federal approval <input checked="" type="checkbox"/> Change in scope, setting, effects, mitigation measures, requirements <input type="checkbox"/> 3-year timeline (EIS only) <input type="checkbox"/> N/A (Re-Validation for CEQA only)
DESCRIPTION OF CHANGED CONDITIONS	Federal project number is being changed from CML 5437 (030) to CML 6072 (028). City of San Ramon completed the NEPA studies. The construction contract for this project will be done by Contra Costa Transportation Authority.

NEPA CONCLUSION - VALIDITY

Based on an examination of the changed conditions and supporting information: [Check ONE of the three statements below, regarding the validity of the original document/determination (23 CFR 771.129). If document is no longer valid, indicate whether additional public review is warranted and whether the type of environmental document will be elevated.]

- ☒ The original environmental document or CE remains valid. No further documentation will be prepared.
- ☐ The original environmental document or CE is in need of updating; further documentation has been prepared and ☐ is included on the continuation sheet(s) or ☐ is attached. With this additional documentation, the original ED or CE remains valid.
 Text
 Additional public review is warranted (23 CFR 771.111(h)(3)) Yes ☐ No ☐
- ☐ The original document or CE is no longer valid.
 Additional public review is warranted (23 CFR 771.111(h)(3)) Yes ☐ No ☐
 Supplemental environmental document is needed. Yes ☐ No ☐
 New environmental document is needed. Yes ☐ No ☐ (If "Yes," specify type: _____)

CONCURRENCE WITH NEPA CONCLUSION

I concur with the NEPA conclusion above.

J. Holden
 Signature: Environmental Branch Chief

27 April 2020
 Date

Hin Hung Kung
 Signature: Project Manager/DLAE

4/27/2020
 Date

CEQA CONCLUSION: (Only mandated for projects on the State Highway System.)

Based on an examination of the changed conditions and supporting information, the following conclusion has been reached regarding appropriate CEQA documentation: (Check ONE of the five statements below, indicating whether any additional documentation will be prepared, and if so, what kind. If additional documentation is prepared, attach a copy of this signed form and any continuation sheets.)

- ☐ Original document remains valid. No further documentation is necessary.
- ☐ Only minor technical changes or additions to the previous document are necessary. An addendum has been or will be ☐ prepared and is ☐ included on the continuation sheets or ☐ will be attached. It need not be circulated for public review. (CEQA Guidelines, §15164)
- ☐ Changes are substantial, but only minor additions or changes are necessary to make the previous document adequate. A Supplemental environmental document will be prepared, and it will be circulated for public review. (CEQA Guidelines, §15163)
- ☐ Changes are substantial, and major revisions to the current document are necessary. A Subsequent environmental document will be prepared, and it will be circulated for public review. (CEQA Guidelines, §15162) (Specify type of subsequent document, e.g., Subsequent FEIR)
- ☐ The CE is no longer valid. New CE is needed. Yes ☐ No ☐

CONCURRENCE WITH CEQA CONCLUSION

I concur with the CEQA conclusion above.

Signature: Environmental Branch Chief

Date

Signature: Project Manager/DLAE

Date

NEPA/CEQA RE-VALIDATION FORM

CONTINUATION SHEET(S)

Address only changes or new information since approval of the original document and only those areas that are applicable. Use the list below as section headings as they apply to the project change(s). Use as much or as little space as needed to adequately address the project change(s) and the associated impacts, minimization, avoidance and/or mitigation measures, if any.

Changes in project design, e.g., scope change; a new alternative; change in project alignment

There are no changes in the project design.

Changes in environmental setting, e.g., new development affecting traffic or air quality;

There are no changes in environmental setting.

Changes in environmental circumstances, e.g., a new law or regulation; change in the status of a listed species.

There are no changes in environmental circumstances.

Changes to environmental impacts of the project, e.g., a new type of impact, or a change in the magnitude of an existing impact.

There are no changes to environmental impacts from this project.

Changes to avoidance, minimization, and/or mitigation measures since the environmental document was approved.

There are no changes to the avoidance, minimizations, and/or mitigation measures.

Changes to environmental commitments since the environmental document was approved, e.g., the addition of new conditions in permits or approvals. When this applies, append a revised Environmental Commitments Record (ECR) as one of the Continuation Sheets.

There are no changes to the environmental commitments.

04-CC-SRmn	N/A	N/A	CML 5437 (030)
Dist.-Co.-Rte. (or Local Agency)	P.M./P.M.	E.A/Project No.	Federal-Aid Project No. (Local Project)/Project No.

PROJECT DESCRIPTION: Iron Horse Trail Pedestrian Overcrossing Project

City of San Ramon in cooperation with Contra Costa County Transportation Authority (CCCTA) and Caltrans, proposes to construct a pedestrian and cyclist overcrossing along the existing Iron Horse Trail alignment at Bollinger Canyon Road. The project will improve safety and air quality by reducing at-grade crossing conflicts between pedestrians, cyclists, and motorists and improve motor vehicle traffic by reducing idling at the intersection. The overcrossing would consist of a cable-stayed main span with a central support and remove the left turn lane on the side of Bollinger Canyon Road where the trail crossing would be. Description continued on Page 2 below.

CALTRANS CEQA DETERMINATION (Check one)

☒ **Not Applicable – Caltrans is not the CEQA Lead Agency**
☐ **Not Applicable – Caltrans has prepared an Initial Study or Environmental Impact Report under CEQA**

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

☐ **Exempt by Statute.** (PRC 21080[b]; 14 CCR 15260 et seq.)
☐ **Categorically Exempt. Class** . (PRC 21084; 14 CCR 15300 et seq.)

Based on an examination of this proposal and supporting information, the following statements are true and exceptions do not apply:

- ☐ If this project falls within exempt class 3, 4, 5, 6 or 11, it does not impact an environmental resource of hazardous or critical concern where designated, precisely mapped, and officially adopted pursuant to law.
- ☐ There will not be a significant cumulative effect by this project and successive projects of the same type in the same place, over time.
- ☐ There is not a reasonable possibility that the project will have a significant effect on the environment due to unusual circumstances.
- ☐ This project does not damage a scenic resource within an officially designated state scenic highway.
- ☐ This project is not located on a site included on any list compiled pursuant to Govt. Code § 65962.5 ("Cortese List").
- ☐ This project does not cause a substantial adverse change in the significance of a historical resource.

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

Print Name: Senior Environmental Planner or Environmental Branch Chief

Signature

Print Name: Project Manager

Signature

Date

Date

NEPA COMPLIANCE

In accordance with 23 CFR 771.117, and based on an examination of this proposal and supporting information, the State has determined that this project:

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

CALTRANS NEPA DETERMINATION (Check one)

☒ **23 USC 326:** The State has determined that this project has no significant impacts on the environment as defined by NEPA, and that there are no unusual circumstances as described in 23 CFR 771.117(b). As such, the project is categorically excluded from the requirements to prepare an EA or EIS under the National Environmental Policy Act. The State has been assigned, and hereby certifies that it has carried out the responsibility to make this determination pursuant to Chapter 3 of Title 23, United States Code, Section 326 and a Memorandum of Understanding dated May 31, 2016, executed between the FHWA and the State. The State has determined that the project is a Categorical Exclusion under:

☒ **23 CFR 771.117(c): activity (c)(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 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.

Tom Holstein

Print Name: Senior Environmental Planner or Environmental Branch Chief

Tom Holstein
Signature

Hin Kung

Print Name: Project Manager/DLA Engineer

Hin Pheng Kung
Signature

Date

Date

Date of Categorical Exclusion Checklist completion: 30MAR2020

Date of ECR or equivalent : N/A

January 3, 2019

CATEGORICAL EXEMPTION/CATEGORICAL EXCLUSION DETERMINATION FORM
Continuation Sheet

Continued from page 1:

Project Description (Continued):

The new overcrossing would be 950 linear feet and the span width will be 20 feet. Both approaches will consist of MSE retaining walls up to 20 feet high and have a slope less than 5%. The central span would be 70 ft tall and the span column supports would be twenty feet tall. The overcrossing would include guardrails and lighting. Utilities in the project area include power lines, fuel and gas pipelines, fiber optics, storm drains, and water lines. Some utilities will be protected in place and others will be relocated. Project requires 1 permanent easement and 2 temporary construction easements.

Environmental Commitments:

Noise:

- Equip all construction equipment, fixed, or mobile, with properly operating and maintenance mufflers consistent with manufacturers' standards
- Place all stationary construction equipment so that emitted noise is directed away from sensitive receptors nearest the active project sites
- Locate equipment staging in areas that would create the greatest possible distance between construction-related noise sources and noise-sensitive receptors nearest the active project site during all project construction
- Ensure that all general construction related activities are restricted to 730 AM and 7 PM on weekdays and between 9 AM and 6 PM on Saturdays and Sundays
 - Construction outside of these hours will require written permission from the City of San Ramon City Manager demonstration sufficient cause
- Prior to project construction, City shall post a notice at the construction site that specifies the construction schedule
- Prior to construction, the City shall identify a procedure for coordination with the adjacent noise sensitive uses so that construction activities can be scheduled to minimize noise disturbance. A phone number for complaints shall be posted at the construction site and all complaints shall be investigated, including noise monitoring of construction activities and addressed

Biology:

- Project activities during nesting season (February 1 to August 31) will require a qualified biologist to conduct a preconstruction survey for nesting birds prior to ground disturbance, vegetation removal, and or/or vegetation trimming
 - Survey area shall include all suitable nesting habitats within the project area
- Finding of Active raptor nest or other active native bird nest discovery during preconstruction survey will require a qualified biologist to determine a suitable exclusion buffer based on the nesting species and context of the nest location
- Pre-construction survey will be conducted no more than 14 days prior to the start of work
- A preconstruction survey that determines presence of protected nesting birds, a qualified biologist will determine an appropriately sized exclusion zone around the nest in which no work would be allowed until the young have successfully fledged (or the nest has been abandoned)
- Exclusion buffers shall be clearly delineated (i.e. orange construction fencing) around each active nest site
- Active nest sites of protected bird species will be monitored periodically to determine time of fledging
- Qualified biologist will determine when construction activities may commence within the buffer
- Prior to construction, wetland areas to be avoided by the project will be temporarily staked in the field by a qualified biologist
- Temporary construction fencing will be placed between the edge of the construction disturbance zone and the wetland areas to prevent entry of persons or deposition of construction materials or debris into the stream throughout the construction period.
- Prior to the start of construction, temporary silt fencing will be placed along the exterior base of the temporary construction fencing to prevent discharge of silt or sediment into the wetlands throughout the construction period
- Temporary construction and temporary silt fencing will be maintained throughout the construction period and will be inspected by City staff on a daily basis
- Trash generated by the project will be promptly and properly removed from the site
- No construction or maintenance vehicles will be refueled within 100 feet of the wetland areas unless a bermed and lined refueling area is constructed and hazardous material absorbent pads are available in the event of a spill
- Appropriate erosion-control measures (fiber rolls, filter fences) will be used on site to reduce siltation and runoff of contaminants into the wetlands
- Filter fences and mesh will be of material that will not entrap reptiles and amphibians

CATEGORICAL EXEMPTION/CATEGORICAL EXCLUSION DETERMINATION FORM
Continuation Sheet

- Erosion control blankets will be used as a last resort because of their tendency to biodegrade slowly and to trap reptiles and amphibians
- Fiber rolls used for erosion control will be certified as free of noxious weed seed and will not contain plastics of any kind
- Seed mixtures applied for erosion control will not contain invasive nonnative species

Water Quality:

- Project will obtain coverage under State Water Resources Control Board's National Pollutant Discharge Elimination System General Permit for Stormwater Discharges Associated with Construction and Land Disturbance Activities prior to construction activities
- A Stormwater Pollution Prevention Plan (SWPPP) shall be prepared and implemented to address all construction-related activities, equipment, and materials with the potential to impact water quality
 - SWPPP shall identify sources of pollutants that may affect the quality of storm water and include Best Management Practices (BMPs) (sediment control, erosion control) to ensure potential for soil erosion, sedimentation, and spills is minimized to control the discharge of pollutants in storm water runoff as a result of construction activities
- Erosion Control Plan shall be prepared and implemented by the City or its designated contractor in compliance with the provisions of the City of San Ramon Erosion Control Ordinance
- A Stormwater Control Plan shall be prepared in compliance with the provisions of the Contra Costa Clean Water Program and include:
 - An inventory and accounting of existing and proposed impervious areas
 - Low Impact Development design details incorporated into the project
 - Measures to address potential stormwater contaminants
 - A Draft Stormwater Facility Operation and Maintenance Plan for the project site

Hazardous Materials:

- Preliminary Site Investigation should be performed to investigate hazardous materials concerns related to soil and groundwater that will be disturbed

Traffic

- Drivers would be detoured only during off-peak traffic hours when sensitive construction activities taking place over the travel lanes where it would not be safe to have vehicles driving underneath
 - Detours would be in place for 12 hours during the night when traffic is lighter (7 PM to 7 AM in example)
- Trail users would be detoured around the construction area either by a separate parallel path or detouring them to an existing adjacent trail
- Potential street closure of Bollinger Canyon Road in vicinity to the Overcrossing construction during off-peak traffic hours
 - Closures will be very limited and only implemented when necessary

Visual:

- Context- sensitive aesthetic treatments will be incorporated in the design of the overcrossing structure, and its associated retaining walls where feasible
- Design features such as railings and hardscape elements will incorporate context-sensitive solutions where feasible that meet all Caltrans' policies and safety requirements
- All areas temporarily impacted during project construction will be restored to pre-construction contours and revegetated with native species
- Use of standard best management practices (e.g. screening, good housekeeping, phasing to minimize disturbance) will be implemented to reduce the temporary effects of construction activities
- Replacement planting will be provided, such planting will include trees and shrubs as appropriate to the visual setting and project features
- Trees are to be preserved and will be protected consistent with the requirements of the City's Municipal Code
- A tree protection zone shall be designated around the trees
- As part of the final design, the City will develop a lighting plan for the proposed project that demonstrates the project's light and glare impacts are not significant