CEQA EXEMPTION / NEPA CATEGORICAL EXCLUSION
DETERMINATION FORM (rev. 06/2022)

Project Information

Project Name (if applicable): Terminal Island Grade Separation

DIST-CO-RTE: 07-LA-0-0 **PM/PM:**

CE: 202310000 **Project Number:** LA9919170

Project Description

The Los Angeles Harbor Department (LAHD) proposes to construct a 1,800-foot long, four-lane, grade-separation over the Port of Los Angeles (POLA) mainline tracks at 740 Terminal Way, San Pedro, California on Terminal Island ***(please see continuation sheet for additional project details)***.

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

N/A	N/A	N/A
Print Name	Signature	Date

Project Manager

N/A	N/A	N/A
Print Name	Signature	Date

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:
https://www.ecfr.gov/current/title-23/chapter-I/subchapter-H/part-771#p-771.117(e)

☒ **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, 2022, executed between FHWA and Caltrans. Caltrans has determined that the project is a Categorical Exclusion under:

- ☒ **23 CFR 771.117(c): activity (c)(28)**
- ☐ **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 May 27, 2022, and executed by FHWA and Caltrans.

Senior Environmental Planner or Environmental Branch Chief

Garrett Damrath		12/28/2023
Print Name	Signature	Date

Project Manager/ DLA Engineer

Steve Novotny		12/28/2023
Print Name	Signature	Date

Date of Categorical Exclusion Checklist completion (if applicable): N/A
Date of Environmental Commitment Record or equivalent: 11/29/23

Continuation sheet:

PROJECT ELEMENTS:

The proposed Project is comprised of the following elements:

• **Grade-Separated Roadway.** The Proposed Project would include the construction of a four-lane, grade-separated roadway with connecting roadway approaches. The roadway would be approximately 1,800 feet long, 100 feet wide, and composed of asphalt concrete. The grade separation structure would consist of an approximately 115-foot-long, 6.5-foot-deep, and 100-foot-wide precast girder bridge composed of reinforced concrete. The bridge structure would have a maximum height of approximately 35 feet. The clearance under the bridge to the railroad tracks would be approximately 24 feet.

• **Retaining/Abutment Walls.** Retaining walls and abutment walls composed of reinforced concrete would be constructed to support the grade separation structure. The retaining walls would vary in height, would range in length from approximately 80 feet to 100 feet, and would be approximately 1 foot wide. The abutment walls would be approximately 115 feet high and 100 feet wide.

• **Intersection/Signal Modifications.** Intersection/signal modifications to accommodate the grade separation structure would be completed at the intersection of Ferry Street and Terminal Way. The eastern leg of the intersection would be widened, and the traffic signal would be modified to accommodate the change in street geometry.

• **Tunnel Gate.** A tunnel gate would be constructed to restrict access to emergency vehicles only. The gate would be approximately 20 feet wide, approximately 8 feet tall, and composed of aluminum.

• **Landscaping and Lighting.** Landscaping would be installed in accordance with Caltrans standards. Standard, 30-foot-high lighting would be added on top of the bridge structure.

PROJECT CONSTRUCTION:

The following sections provide details on the Proposed Project's construction activities.

Construction Schedule. Construction of the Proposed Project is anticipated to be completed over approximately 18 months. Construction would be mostly limited to Monday through Friday between 7:00 a.m. and 4:00 p.m. and as needed between 8:00 a.m. and 4:00 p.m. on Saturdays.

Grading and Paving. On the Proposed Project site, 14 acres would need to be graded or disturbed. Vegetation removal of all trees and brush within the bridge footprint would be required. A plant survey of the Proposed Project site indicates that no special status plant species are present. Excavated soil would be sampled for reuse or disposal. The source and quantity of embankment fill required for the grade separation structure would depend on the availability of stockpiled soil that is consistent with LAHD's Environmental Requirements for Industrial Fill Material. If additional fill is required, the contractor would be responsible for providing the necessary quantity that is acceptable to the LAHD. Approximately 4 acres of the site would be paved for roadways. The estimated vertical ground disturbance would range from 5 feet deep for the over-excavation of soil, 5 feet to 10 feet deep for the storm drain trench, 65

feet deep for 14-inch square piles to support retaining walls, and up to a maximum of 80 feet deep for 24-inch octagonal piles to support the abutments.

Utilities. Storm drain modifications would be required due to the proposed improvements and would include catch basins, inlets, pipelines, and maintenance holes. These components have been designed in accordance with the City of Los Angeles and other relevant agency standards. Full trash capture devices would be included on storm drain inlets in compliance with the Los Angeles Regional Water Quality Control Board Phase I Municipal Separate Storm Sewer Systems (MS4) National Pollutant Discharge Elimination System (NPDES) Permit – Trash Prohibitions. Electrical and fiber optic cables would need to be relocated. New water lines and one to two fire hydrants would also be
installed.

Construction Staging and Access. The staging area for the storage of construction materials and equipment would be limited to a 3-acre area within the Proposed Project site or directly adjacent on the 80-acre site within the railroad loop. Construction access to the Proposed Project site outside the railroad loop area would be provided by the Ferry Street and Terminal Way intersection. Construction access within the loop would be provided by the existing tunnel (using the same intersection) or the at-grade railroad crossing at Eldridge Street.

Construction Workforce and Equipment. A maximum of 60 staff would be on site during construction for a limited time, with as few as 30 staff, depending on the work being conducted. Construction equipment would include excavators, bulldozers, loaders, dump trucks, graders, concrete mixers, vibratory compactors, concrete pumps, cranes, jackhammers, an asphalt paver, roller compactor, concrete paver, scaffolding and formwork, and traffic control equipment.

Construction Best Management Practices. Proposed Project construction would comply with the Stormwater Pollution Prevention Plan (SWPPP) that would be prepared in accordance with the Construction General Permit. Implementation of the SWPPP would minimize the amount of sediment and other pollutants associated with the construction site that are discharged in stormwater runoff, through best management practices (BMPs) to control erosion and sedimentation. BMPs required by the SWPPP would be included in the design of the Proposed Project and do not serve as mitigation measures (see “Erosion and Sediment Control” below).

Traffic Control. LAHD would prepare a traffic control plan that would include the use of temporary traffic control systems, delineators, signs, and flaggers conforming to the current California Manual of Uniform Traffic Control Devices. Coordination would be conducted to maintain freight access around the railroad loop during construction, as well as truck access across the railroad loop.

Cultural Resources. No historic properties were identified within the vicinity of the project site; thus, no historic properties are affected. In the event that cultural materials are inadvertently discovered during ground disturbing activity, the following will occur:

- *Inadvertent Discovery of Cultural Resources:* A professional archaeologist meeting the Secretary of Interior qualifications should be available on-call to identify and evaluate previously unidentified cultural resources discovered during construction activities. Upon inadvertent discovery of a potential resource, avoidance measures will be implemented by construction crews. These should include halting construction work within 100 feet of the find and directing construction away from the discovery until the archaeologist assesses the significance of the resource. The archaeologist will consult with the appropriate responsible

public agency regarding necessary plans for treatment of the find(s), and for the evaluation and mitigation of impacts.

- *Inadvertent Discovery of Human Remains:* In the event that human remains, or potential human remains are discovered, construction activities within 100 feet of the find shall be immediately halted. The construction Project Manager shall immediately notify the appropriate responsible public agency and the County Coroner. The County Coroner will make a determination as to the origin of the remains and, if determined to be of Native American origin, will contact the Native American Heritage Commission (NAHC) by telephone within 24 hours. If the remains are not of Native American origin, the County Coroner will make a determination as to the disposition of the remains. Once contacted by the County Coroner, the NAHC shall immediately identify and notify the Most Likely Descendant (MLD). The MLD has 48 hours to make recommendations to the landowner for treatment or disposition of the human remains. If the descendant does not make recommendations within 48 hours, the appropriate responsible public agency shall reinter the remains in an area of the property secure from further disturbance. If the responsible public agency does not accept the descendant's recommendations, the appropriate responsible public agency or the descendant may request mediation by the NAHC. Construction may continue once compliance with all relevant sections of the California Health and Safety Code have been addressed and authorization to proceed is issued by the County Coroner and the responsible public agency.

Biological Resources. In order to avoid / minimize the potential for biological resources to be adversely impacted by the implementation of the project, the following measures will be incorporated into the project scope:

- *Nesting Birds*: To avoid impacts to nesting birds, project activities should occur outside of the bird breeding season (typically defined as February 1 through September 15), if practicable. If construction must begin during the breeding season, then a pre-construction nesting bird survey should be conducted no more than seven days prior to initiation of ground disturbance and vegetation removal activities. If active nests or protected species are observed, an avoidance buffer should be established to avoid potential direct impacts and reduce potential indirect impacts from construction activities. The buffer should be determined by a qualified biologist. Encroachment into the buffer should occur at the discretion of a qualified biological monitor.

- *Native Trees:* The City of Los Angeles Tree Ordinance (Ordinance No. 177404) protects certain tree and shrub species that have a trunk diameter that measures four inches or more in cumulative diameter, four and one-half feet above the ground level at the base of the tree, which includes the following species: valley oak and coast live oak or any other tree of the oak genus indigenous to California, excluding scrub oak; southern California black walnut; western sycamore; California bay; Mexican elderberry; and toyon. No protected trees may be removed without a permit. An application for a permit should include a plot plan identifying each protected tree or shrub and should identifying each proposed protected tree or shrub to be retained, relocated, or removed.

- *Worker Environmental Awareness Program:* Prior to initiation of all construction activities (including staging and mobilization), all personnel associated with project construction shall attend a Worker Environmental Awareness Program (WEAP) training, conducted by a qualified biologist to assist workers in recognizing special status biological resources which may occur in the Study Area. The training shall include information about nesting birds and the special status species potentially occurring in the Study Area, if applicable.

  The specifics of this program shall include identification of special status species and habitats, a description of the regulatory status and general ecological characteristics of special status resources, and review of the limits of construction and measures required to avoid and minimize impacts to biological resources within the work area. A fact sheet conveying this information shall also be prepared for distribution to all contractors, their employees, and other personnel involved with construction of the project. All employees shall sign a form provided by the trainer documenting they have attended the WEAP and understand the information presented to them. The crew foreperson shall be responsible for ensuring crew members adhere to the guidelines and restrictions designed to avoid impacts to special status species. If new construction personnel are added to the project, the crew foreman shall confirm new personnel receive the WEAP training before starting work. The subsequent training of personnel can include video of the initial training and/or the use of written materials rather than in-person training by a biologist.

- *Wildlife Avoidance During Construction:* The following measures shall be adhered to during project construction:
  - The contractor shall clearly delineate the construction limits and prohibit any construction related traffic outside those boundaries.
  - Project-related vehicles shall observe a 10-mile-per-hour speed limit within the unpaved limits of construction.
  - All open trenches or excavations shall be fenced and/or sloped to prevent entrapment of wildlife species.
  - All food-related trash shall be disposed of in closed containers and removed from the project site at the end of each day. Construction personnel shall not feed or otherwise attract wildlife to the construction area.
  - At project completion, all project-generated debris, vehicles, building materials, and rubbish shall be removed from the project site.
  - No construction worker pets shall be allowed on the project site.
  - If construction must occur at night (between dusk and dawn), all lighting shall be shielded and directed downward to minimize the potential for glare or spillover onto adjacent properties and to reduce impacts on local wildlife.