NEPA/CEQA REVALIDATION

DIST./CO./RTE.	04-SM-101
PM/PM	15.6
E.A. or Fed-Aid Project No.	04-0A8608 ESPLEPH-5268(016) 04-923566 ESPLEPH-5268(004)
Other Project No. (specify)	Demo ID CA309 & CA705
PROJECT TITLE	Class 1 bikeway and Overcrossing across Route 101 (north of Ralston) in Belmont
ENVIRONMENTAL APPROVAL TYPE	Categorical Exclusion (NEPA); Categorical Exemption (CEQA)
DATE APPROVED	August 19, 2004
REASON FOR CONSULTATION (23 CFR 771.129)	Check reason for consultation: ☒ Project proceeding to next major federal approval ☐ Change in scope, setting, effects, mitigation measures, requirements ☐ 3-year timeline (EIS only)
DESCRIPTION OF CHANGED CONDITIONS	Conditions have not changed. For purposes of clarification, the project description by inference includes construction of a pedestrian bridge across O'Neill Slough as the connection to the San Francisco Bay Trail.

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 771.12]). If document is no longer valid, indicate whether additional public review is warranted and whether the type of environmental document will be elevated.*

__X__ 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.

_____ (Yes/No) Additional public review is warranted (23 CFR 771.111[h][3])

_____ The original document or CE is no longer valid.

_____ (Yes/No) 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. (If "Yes," specify type: _____)

CONCURRENCE WITH NEPA CONCLUSION

I concur with the NEPA conclusion above.

Melanie Brent — 7/30/09
Melanie Brent, Environmental Branch Chief — Date

Keyhan Moghbel — 7/30/09
Keyhan Moghbel, Project Manager — Date

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

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 If document is no longer valid, indicate whether additional public review is warranted and whether the type of environmental document will be elevated.)

_X_ **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:)

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CONCURRENCE WITH CEQA CONCLUSION

I concur with the CEQA conclusion above.

Melanie Brent 7/30/09 Keyhan Moghbel 7/30/09

Melanie Brent, Environmental Branch Chief Date Keyhan Moghbel, Project Manager Date

CONTINUATION SHEET(S)

Address only substantial changes or substantial 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., substantial scope change; a new alternative; change in project alignment.

There are no changes to the project scope, limits, or design. Pursuant to the Co-operative Agreement executed between the City of Belmont and State, the City of Belmont is the Implementing Agency for the Project.

For purposes of clarification, the connection to the San Francisco Bay Trail cited in the project description of the Categorical Exemption/Exclusion includes the construction of a new pedestrian bridge across O'Neill Slough.

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

There are no changes in the 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.

Subsequent to the approval of the CE/CE for project, construction related to the reconfiguration of the Ralston Avenue/U.S. 101 interchange was completed. As part of the reconfiguration project, the southbound Ralston Avenue off-ramp was realigned. This realignment resulted in a realignment of the tidally-influenced drainage ditch west of the off-ramp such that avoidance of permanent impacts to the drainage ditch (as assumed in the CE/CE) is no longer feasible. As such, the project would result in the permanent loss of 63 square feet of the tidally influenced drainage ditch.

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

Based upon the permanent loss of 63 square feet of tidally-influenced drainage ditch, mitigation credits will be purchased at the nearest mitigation bank that has available Corps approved wetland mitigation credits at a 1:1 ratio (i.e., purchase of 63 square feet of wetland mitigation credits).

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.

Changes in environmental commitments are limited to the following:

As described in the approved CE/CE, a CWA Section 404 permit will be required. However, rather than an individual permit, the project would be permitted under CWA Nationwide Permit #14. Due to the small size of permanent loss (less than 0.10 acre), no pre-construction notice to the Corps is required.

A CWA Section 401 Water Quality Certification was anticipated for the project. However, due to the small size of permanent loss, the Implementing Agency would only be required to submit a State Water Resources Control Board Notice of Intent (NOI WQ ORDER NO. 2004-004-DWQ) for Statewide General Waste Discharge Requirements for dredged or fill discharges to waters deemed by the U.S. Army Corps of Engineers to be outside of federal jurisdiction. The Implementing Agency submitted a NOI to the State Regional Water Quality Control Board on July 2, 2009.

Distribution: 1) District Local Assistance Engineer - Original copy
2) District Senior Environmental Planner (for Local Assistance) – copy