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# memorandum

date September 17, 2019

to Dianna R. Jensen, P.E., City Engineer, City of Davis – Public Works Department

from Steve Smith, Technical Associate, ESA

subject Categorical Exemption for the Olive Drive/Pole Line Road Bike Connection and Select Walk Bike Audit Report (WBAR) Improvements Project

## Introduction

This memorandum is provided as confirmation that the Olive Drive/Pole Line Road Bike Connection and Select Walk Bike Audit Report (WBAR) Improvements Project is exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines, Article 19, Categorical Exemptions, Section 15301, Existing Facilities.

The purpose of the project is to construct a bicycle and pedestrian bridge connecting the Olive Drive neighborhood to the two-way multi-use path on the Pole Line Road overcrossing, to safely connect the Olive Drive neighborhood to the primary pedestrian and bicycle route to Montgomery elementary school. Additional low-impact safety improvements along this, and related routes, are located at Lillard Drive at Cowell Boulevard, Danbury Street, Danbury at Lillard Drive, Lillard Drive at Drummond Avenue, Lillard Drive at Farragut Circle, the path behind Montgomery elementary school, and Erma Lane at the bike path. These safety improvements would consist of restriping crosswalks with high-visibility paint, moving and/or installing turn boxes, installing curb ramps, relocating signs, constructing curb extensions, and other similar safety-related modifications to existing structures. The footprint for the proposed bicycle and pedestrian bridge is within both City and Caltrans rights-of-way, and the aforementioned safety improvements are entirely within City right-of-way.

As specified in CEQA Guidelines, Article 19, Categorical Exemptions, Section 15300.2, the exemption is negated by an exception under any of the following circumstances:

- a) Location. Classes 3, 4, 5, 6, and 11 are qualified by consideration of where the project is to be located – a project that is ordinarily insignificant in its impact on the environment may in a particularly sensitive environment be significant. Therefore, these classes are considered to apply all instances, except where the project may impact on an environmental resource of hazardous or critical concern where designated, precisely mapped, and officially adopted pursuant to law by federal, state, or local agencies.
- b) Cumulative Impact. All exemptions for these classes are inapplicable when the cumulative impact of successive projects of the same type in the same place, over time is significant.

- c) Significant Effect. A categorical exemption shall not be used for an activity where there is a reasonable possibility that the activity will have a significant effect on the environment due to unusual circumstances.
- d) Scenic Highways. A categorical exemption shall not be used for a project which may result in damage to scenic resources, including but not limited to, trees, historic buildings, rock outcroppings, or similar resources, within a highway officially designated as a state scenic highway. This does not apply to improvements which are required as mitigation by an adopted negative declaration or certified EIR.
- e) Hazardous Waste Sites. A categorical exemption shall not be used for a project located on a site which is included on any list compiled pursuant to Section 65962.5 of the Government Code.
- f) Historical Resources. A categorical exemption shall not be used for a project which may cause a substantial adverse change in the significance of a historical resource.

## Findings and Conclusions

The project site is located in an urban setting in the City of Davis (**Figure 1**). The project includes a combined approximately 14.3 acres within the City of Davis at six locations: Olive Drive and Pole Line Road near I-80; the intersection of Lillard Drive and Cowell Boulevard; the intersection of Lillard Drive and Danbury Street along with a segment of Danbury Street; the intersection of Lillard Drive and Drummond Avenue; the intersection of Lillard Drive and Farragut Circle; the path behind Montgomery Elementary School; and Erma Lane at the bike path. The project locations are relatively flat, with elevations ranging from 42 to 50 feet above mean sea level.

The Preliminary Environmental Study (PES) prepared for the proposed project in connection with the National Environmental Policy Act (NEPA) review of the proposed project under Caltrans oversight identified that portions of the project site provide potential nesting habitat for migratory birds. Accordingly, the removal of any trees would occur outside of the nesting season (February 1 to August 31) to avoid potential effects to nesting birds, including Swainson's hawk. If this is not possible, a qualified biologist would conduct a preconstruction survey for nesting birds within or near the project site within seven days of tree removal. Should an active Swainson's hawk nest be encountered within ¼ mile of the project site, the City will stop work and notify the California Department of Fish and Wildlife for guidance. Should an active nest of another bird species be encountered, a qualified biologist would determine an appropriate avoidance buffer and/or monitor the active nest if work is occurring nearby, as they deem necessary. Alternatively, the City could employ and enforce a worker environmental training program for tree removal crews covering the identification of active bird nests and require that a biologist be contacted if an active nest is located within or near the project site prior to resuming work.

The project locations were checked on Geotracker on March 30, 2018. There is a closed LUST cleanup site adjacent to the western boundary of the proposed Olive Drive/Pole Line Road Pedestrian/Bicycle Bridge (**Figure 2**). No other sites are present within or adjacent to the project boundaries. The project is not located on any list compiled pursuant to Section 65962.5 of the Government Code (commonly referred to as the "Cortese List").

The Project would not impact any historic properties. Further, the project is not located on an officially designated state scenic highway, there are no identified "unusual circumstances," and the Project is not expected to contribute or result in any cumulative impacts. Therefore, there are no exceptions related to the project and the project is exempt from the provisions of CEQA pursuant to CEQA Guidelines, Article 19, Categorical Exemptions, Section 15301, Existing Facilities.

## References

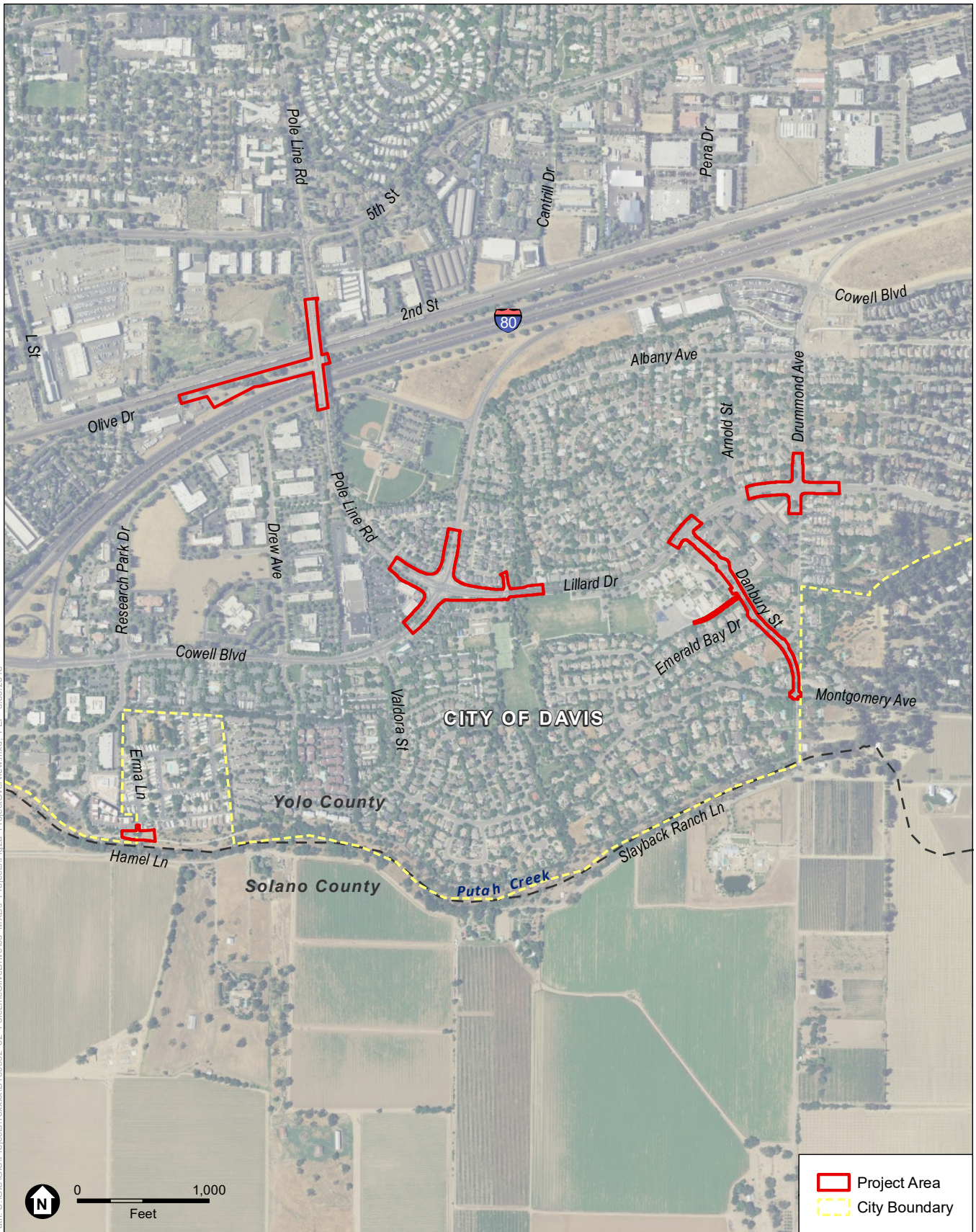
State Water Resources Control Board, 2018. GeoTracker. Available: <http://geotracker.waterboards.ca.gov>. Accessed: March 30, 2018.

California Department of Transportation (Caltrans), 2018. Preliminary Environmental Study, Olive Drive/Pole Line Road Bike Connection and Select Walk Bike Audit Report (WBAR) Improvements Project. March 2018.

## FIGURES

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SOURCE: USDA, 2016; ESA, 2018

Pole Line-Olive Drive Connection Project

**Figure 1**  
Project Overview







SOURCE: USDA, 2016; SWRCB, 2017; ESA, 2018

Pole Line-Olive Drive Connection Project

**Figure 2**  
Resources in the Project Vicinity



NOTICE OF EXEMPTION

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# Notice of Exemption

# Appendix E

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

**From:** (Public Agency): City of Davis  
1717 Fifth Street  
Davis, CA 95616

(Address)

County Clerk

County of: Yolo

625 Court St # B01

Woodland, CA 95695

Project Title: Olive Drive/Pole Line Road Bike Connection and Select Walk Bike Audit Report Improvements

Project Applicant: City of Davis

Project Location - Specific:

Section 14 of Township 8 North Range 2 East (MDBM), in the City of Davis, Yolo County (see attached map)

Project Location - City: Davis

Project Location - County: Yolo

Description of Nature, Purpose and Beneficiaries of Project:

The purpose of the project is to construct a bicycle and pedestrian bridge connecting the Olive Drive neighborhood to the two-way multi-use path on the Pole Line Road overcrossing, to safely connect the Olive Drive neighborhood to the primary pedestrian and bicycle route to Montgomery elementary school. Additional low-impact safety improvements along this, and related routes, are located at Lillard Drive at Cowell Boulevard, Danbury Street, Danbury at Lillard Drive, Lillard Drive at Drummond Avenue, Lillard Drive at Farragut Circle, the path behind Montgomery elementary school, and Erma Lane at the bike path. These safety improvements would consist of restriping crosswalks with high-visibility paint, moving and/or installing turn boxes, installing curb ramps, relocating signs, constructing curb extensions, and other similar safety-related modifications to existing structures.

Name of Public Agency Approving Project: City of Davis

Name of Person or Agency Carrying Out Project: City of Davis

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

Ministerial (Sec. 21080(b)(1); 15268);

Declaration Emergency (Sec. 21080(b)(3);15269(a));

Emergency Project (Sec. 21080(b)(4);15269(b)(c));

Categorical Exemption. State type and section number: Section 15301(c), Existing Facilities

Statutory Exemption. State code number: \_\_\_\_\_

Reasons why project is exempt:

The project is exempt under State CEQA Guidelines [Section 15301(c)], which states that "Class 1 consists of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of use. The types of "existing facilities" itemized below are not intended to be all-inclusive of the types of projects which might fall within Class 1. The key consideration is whether the project involves negligible or no expansion of an existing use. Examples include but are not limited to:

(c) Existing highways and streets, sidewalks, gutters, bicycle and pedestrian trails, and similar facilities (this includes road grading for the purpose of public safety), and other alterations such as the addition of bicycle facilities, including but not limited to bicycle parking, bicycle-share facilities and bicycle lanes, transit improvements such as bus lanes, pedestrian crossings, street trees, and other similar alterations that do not create additional automobile lanes).



The project will result in negligible expansion of an existing use. No additional lanes or capacity will be created by the project. The purpose of the project is to improve pedestrian and bicycle access.

Lead Agency

Contact Person: Dianna R. Jensen, P.E.

Area Code/

Telephone/Extension: (530) 757-5686

**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

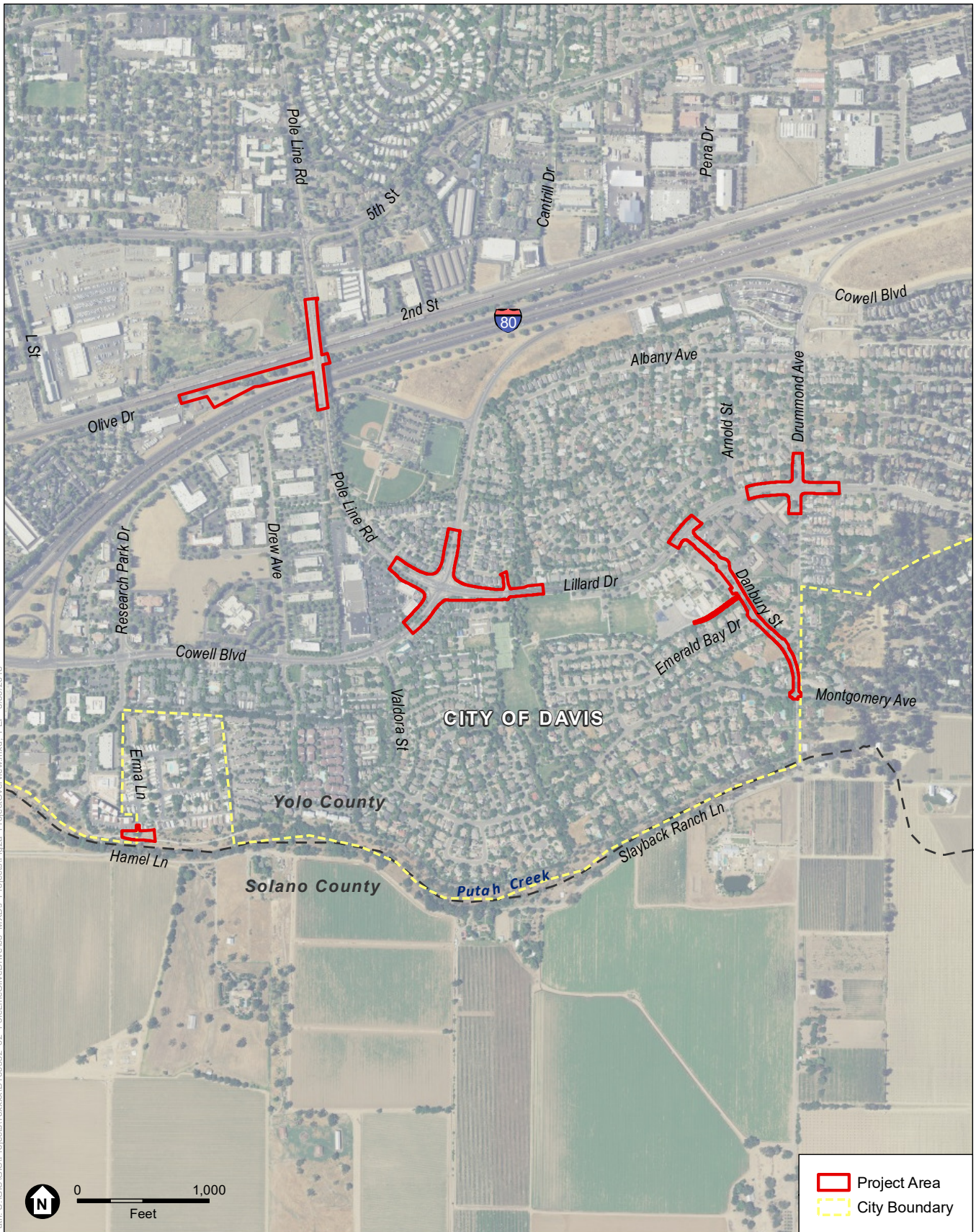
Signature: \_\_\_\_\_ Date: \_\_\_\_\_ Title: \_\_\_\_\_

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: \_\_\_\_\_



SOURCE: USDA, 2016; ESA, 2018

Pole Line-Olive Drive Connection Project

**Figure 1**  
Project Overview

