

Notice of Exemption

Appendix E

To: Office of Planning and Research
P.O. Box 3044, Room 113
Sacramento, CA 95812-3044
County Clerk
County of: San Joaquin
44 N. San Joaquin Street, Suite 260
Stockton, CA 95202

From: (Public Agency): City of Tracy
333 Civic Center Drive
Tracy, CA 95376

(Address)

Project Title: MacArthur Drive ATP Grant Project

Project Applicant: City of Tracy

Project Location - Specific:

Follows S MacArthur Dr. from the intersection of W Schulte Rd. to E Mt Diablo Ave.

Project Location - City: Tracy

Project Location - County: San Joaquin

Description of Nature, Purpose and Beneficiaries of Project:

The project would improve bicycle and pedestrian facilities along the South MacArthur Drive corridor. The project's primary purpose is to improve safety and reduce pedestrian, cyclist, and vehicle conflicts. The project would install a bike lane that would connect to an existing bike lane that begins just north of the project site along South MacArthur Drive, improving biking connectivity in the City.

Name of Public Agency Approving Project: City of Tracy

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

Exempt Status: (check one):

- ☐ Ministerial (Sec. 21080(b)(1); 15268);
- ☐ Declared Emergency (Sec. 21080(b)(3); 15269(a));
- ☐ Emergency Project (Sec. 21080(b)(4); 15269(b)(c));
- ☒ Categorical Exemption. State type and section number: 15301 (c)
- ☒ Statutory Exemptions. State code number: 21080.25 (b)(1)

Reasons why project is exempt:

As this project is a pedestrian and bicycle facilities projects, it is statutorily exempt from CEQA consistent with State Public Resources Code Section 21080.25 (b)(1). Also, the project is consistent with State CEQA Exemption Class 1 - Existing Facilities Projects 15301 in accordance with Cal. Code Regs., tit. 14, § 15300 et seq. The project would implement roadway improvements. The project would address safety concerns and the availability of pedestrians/bicycle crossings and enhance overall mobility for all users. See attachment A.

Lead Agency

Contact Person: Yemane Haile

Area Code/Telephone/Extension: _____

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: [Signature] Date: 9/1/2026 Title: Senior Civil Engineer

• 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: _____

Filed Doc #: 39-09112026-268
Fri Sep 11 14:25:21 PDT 2026
Page: 1 of 10 Fee: \$50.00
Steve J. Bestolarides
San Joaquin County Clerk

By Deputy: jstevens



Revised 2011

Attachment A

MacArthur Drive ATP Grant Project

Project Location

The MacArthur Drive ATP Grant Project (proposed project) is located within in the City of Tracy in San Joaquin County, California. See **Figure 1: Regional Map**. The project site is adjacent to a cemetery and residential housing on the west side of the project site. Previously disturbed vacant land and agricultural land is located to the east of the project site. The proposed project is adjacent to the eastern border of the City of Tracy and is approximately 0.36 miles in length. The project site would extend north from the intersection of South MacArthur Drive and West Schulte Road and continue along South MacArthur Drive terminating after the intersection of South MacArthur Drive and East Mt Diablo Avenue. See **Figure 2: Vicinity Map**.

Project Purpose and Need

Within the project site there is no bike lane. An existing class II bike lane begins directly north of the project site after the intersection of South MacArthur Drive and West Schulte Road. The proposed project is consistent with the City's Bikeways Master Plan to develop a unified network of bikeway routes within the City (City of Tracy, 2005). The improvements are intended to enhance safety for all users including drivers, pedestrians, and cyclists.

Project Description

The project's primary purpose is to improve safety and reduce pedestrian, cyclist, and vehicle conflicts along the South MacArthur Drive corridor from the intersection of South MacArthur Drive and West Schulte Road and terminating after the intersection of South MacArthur Drive and East Mt Diablo Avenue.

Proposed improvements would include the installation of a class II bike lane and crosswalk markings along the intersections. Additional proposed improvements would include curb and gutter improvements, curb ramp upgrades, signal timing adjustments, traffic signal relocation, and pavement striping. The traffic signal and utility pole located on the northeast corner of the intersection of South MacArthur Drive and West Schulte Road would be relocated. The proposed project would acquire approximately 12,100 square feet (sf) of land for public right-of-way directly adjacent to the east side of South MacArthur Drive. The right of way acquisition would occur after the northeast corner of the intersection of South MacArthur Drive and West Schulte Road and would follow directly adjacent to South MacArthur Drive for approximately 0.11 miles. The area that would be acquired for public right-of-way consists of existing roadway shoulder as well as agricultural land. See **Figure 3: Conceptual Plan**.

Reasons Why Project is Exempt

Statutory Exemptions

Pedestrian and bicycle facilities projects are statutorily exempt from CEQA consistent with State Public Resources Code Section 21080.25 (b)(1).

Public Resources Code Section 21080.25 (b)(1) qualifies a statutory exemption as it pertains to the Project, which consists of buffer bike lanes and pedestrian improvements. In regard to the Project, subsection 1) would be directly applicable as it states as follows:

- (b)(1) "Pedestrian and bicycle facilities that improve safety, access, or mobility, including new facilities, within the public right-of-way."

Furthermore, Public Resources Code Section 21080.25 (a)(2) defines "Bicycle Facilities" as the follows:

- (a)(2) "Bicycle facilities" includes, but is not limited to, bicycle parking, bicycle sharing facilities, and bikeways as defined in Section 890.4 of the Streets and Highways Code.

Categorical Exemptions

State CEQA Guidelines Section (§) 15300 defines projects for which a Categorical Exemption can be used and is derived from § 21084 of the Public Resources Code (PRC). This code requires CEQA to include a list of classes of projects which have been determined not to have a significant effect on the environment and which shall, therefore, be exempt from the provisions of CEQA. Accordingly, the Secretary for Resources provided a list of classes of projects that do not have a significant effect on the environment and hence, were declared to be categorically exempt from the requirement for the preparation of environmental documents.

The proposed project is categorically exempt from the provisions of CEQA pursuant to State CEQA Guidelines § 15301 (Class 1) Existing Facilities. The Class 1 exemption is applicable to projects that 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 existing or former use. Subsection (c) provides additional detail in regarding to "existing facilities" to include:

(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 proposed project fits within the parameters for existing highways and streets, sidewalks, and related facilities. The project would implement roadway improvements. The project would address safety concerns and the availability of pedestrians/bicycle crossings and enhance overall mobility for all users. The proposed improvements would include the installation of a class II bike

lane, crosswalk markings along the intersections, curb and gutter improvements, curb ramp upgrades, signal timing adjustments, traffic signal relocation, and pavement striping. Roadway shoulder on the east side of South MacArthur Drive would be acquired right-of-way to ensure space for the class II bike lane. No significant impacts or adverse effects to resources are anticipated to occur as a result of the proposed project.

Exceptions to Exemptions

CEQA includes a list of six conditions called exceptions to exemptions listed in State CEQA Guideline §15300.2. If a project were to violate any of the exceptions, an exemption would not apply. The proposed project would not violate any of the exceptions. Each exception is listed below followed by the reason it would not be violated:

- a) Location. Classes 3, 4, 5, 6, and 11 are qualified by consideration of where the proposed project is to be located – a project that is ordinarily insignificant in its impact on the environment may be in a particularly sensitive environment be significant. Therefore, these classes are considered to apply in 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.*

The project site is within an urbanized corridor and existing roadway and roadway shoulder. Review of regulatory databases from Department of Toxic Substances Control (DTSC) and Regional Water Quality Control Board (RWQCB) revealed that there is no listed on the Envirostor list (DTSC, 2026) and Geotracker sites (RWQCB, 2026) within the project site. The nearest hazardous site is a closed LUST Cleanup Site located 0.11 miles south of the project site. The cleanup site has been closed and therefore no additional action is required at this site. Any potentially hazardous materials that may exist at the project site would be treated in accordance with Health and Safety Code standards, and other applicable standard Best Management Practices (BMP). The following state and federal regulations govern the protection of worker safety related to hazardous materials:

- Worker education and training (Hazard Communication Standard) 29 CFR 1910.1200, 1915.1200, 1917.28, 1918.90, and 1926.59, 1910.1018 (inorganic arsenic)
- Construction Safety Orders 8 CCR Division 1, Chapter 4
- Lead in Construction 8 CCR 1532.1
- General Industry Safety Orders 8 CCR 5214. Inorganic Arsenic.
- Environmental Health Standards for Management of Hazardous Waste 22 CCR Division 4.5

- 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.*

The proposed project would be located within an urbanized corridor and existing roadway which has been heavily disturbed from its natural state. The project site does not contain any vegetation or habitats that support sensitive species or other sensitive resources. The implemented roadway improvements would not result in any impacts to the environment in conjunction with any past, present, or reasonably foreseeable project. The proposed project would not make a cumulative contribution to any environmental impact.

- 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.*

It is not anticipated that the proposed project would have a significant effect on the environment because the proposed project would have minimal excavation depths that would occur within an existing roadbed, sidewalk, or disturbed area. No trenching is required, but deeper foundations are required for utility pole and traffic signal relocations (approximately 6 to 13 feet deep). The project site would be entirely within the public right-of-way including the right-of-way area to be acquired, and the surrounding area has been previously disturbed. The project would be bicycle and pedestrian roadway improvements and there are no unusual circumstances associated with project construction or operation. Therefore, the proposed project would not 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.*

There are no officially designated state scenic highways within the project site. The nearest eligible state scenic highway is Route 580 located approximately 4.37 miles southwest of the project site (Caltrans, 2018). Due to the relatively flat topography of the city, and surrounding areas, the project site is not visible from either the eligible or designated portions of Route 580. Construction and operation of the project would not interrupt views of those roadways or of the site from those roadways. The proposed project would not remove any trees, damage any historic structures or scenic resources within a highway officially designated as a state scenic highway.

- 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.*

See response to (a) above.

- 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. No Historical resources would be affected.*

Based on the National Park Service's (NPS) National Register of Historic Places, no historical resources are listed on or surrounding the project site (NPS, 2026). The proposed project includes improvements to disturbed areas and existing hardscapes that overlay previously disturbed areas that have been filled and compacted as part of previous construction activities. The proposed project would occur on existing roadway and roadway shoulder in an area that has been previously disturbed and would require minimal excavation, therefore, there the proposed project would not result in disturbance of historical or archeological resources.

Conclusion

The proposed project would improve bicycle, pedestrian, and vehicular safety by making physical changes to the intersections and pedestrian and cyclist facilities within the South MacArthur Drive corridor. The project site would be entirely within public right-of-way, and the surrounding area has all been previously disturbed. The proposed project would not expand the existing use of the project roadways by adding lane capacity for cars or trucks or include removal of scenic trees or resources. No significant impacts or adverse effects on resources are anticipated to occur as a result of the proposed project.

References

California Department of Toxic Substances Control. 2026. *DTSC's Hazardous Waste and Substances Site List - Site Cleanup (Cortese List)*. Available at: <https://dtsc.ca.gov/dtscs-cortese-list/> . Accessed: August 25, 2026.

California Department of Toxic Substances Control. 2026. *EnviroStor*. Available at: <https://www.envirostor.dtsc.ca.gov/public/map/?myaddress=Search> . Accessed: August 25, 2026.

California Department of Transportation (Caltrans). 2018. *California State Scenic Highway System Map*. Available at: <https://caltrans.maps.arcgis.com/apps/webappviewer/index.html?id=465dfd3d807c46cc8e8057116f1aaca> . Accessed: August 25, 2026.

City of Tracy. 2012, *Transportation Master Plan*. Available at: <https://www.cityoftracy.org/Departments/Community-and-Economic-Development/Infrastructure-Master-Plans#docaccess-13b8aae76794362c71732e193568ae56> . Accessed: August 25, 2026.

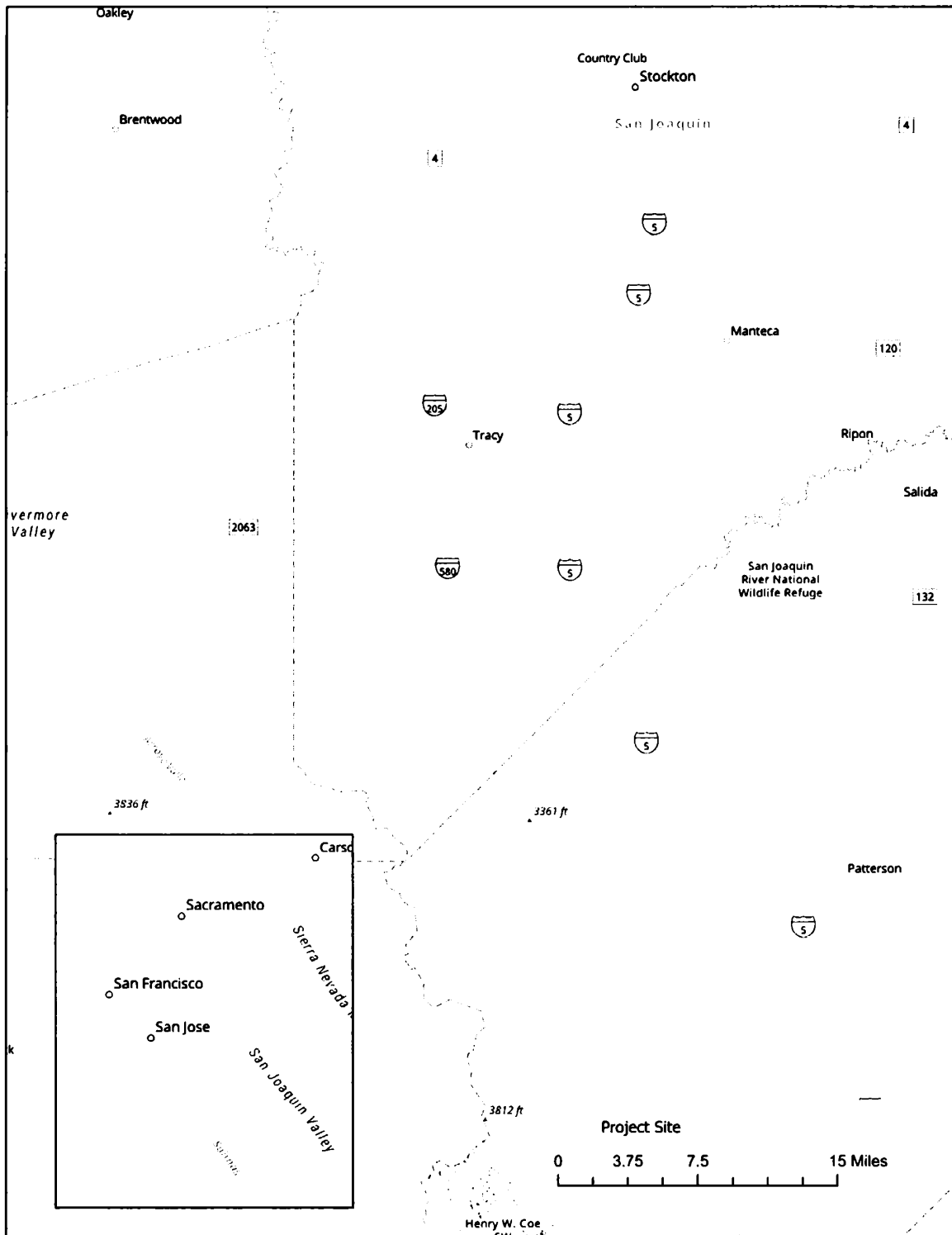
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National Park Service, 2026. National Register of Historic Places. Available at: <https://www.nps.gov/maps/full.html?mapId=7ad17cc9-b808-4ff8-a2f9-a99909164466> . Accessed: August 25, 2026.

Regional Water Quality Control Board. 2026. *Geotracker*. Available at: <https://geotracker.waterboards.ca.gov/> . Accessed: August 25, 2026.



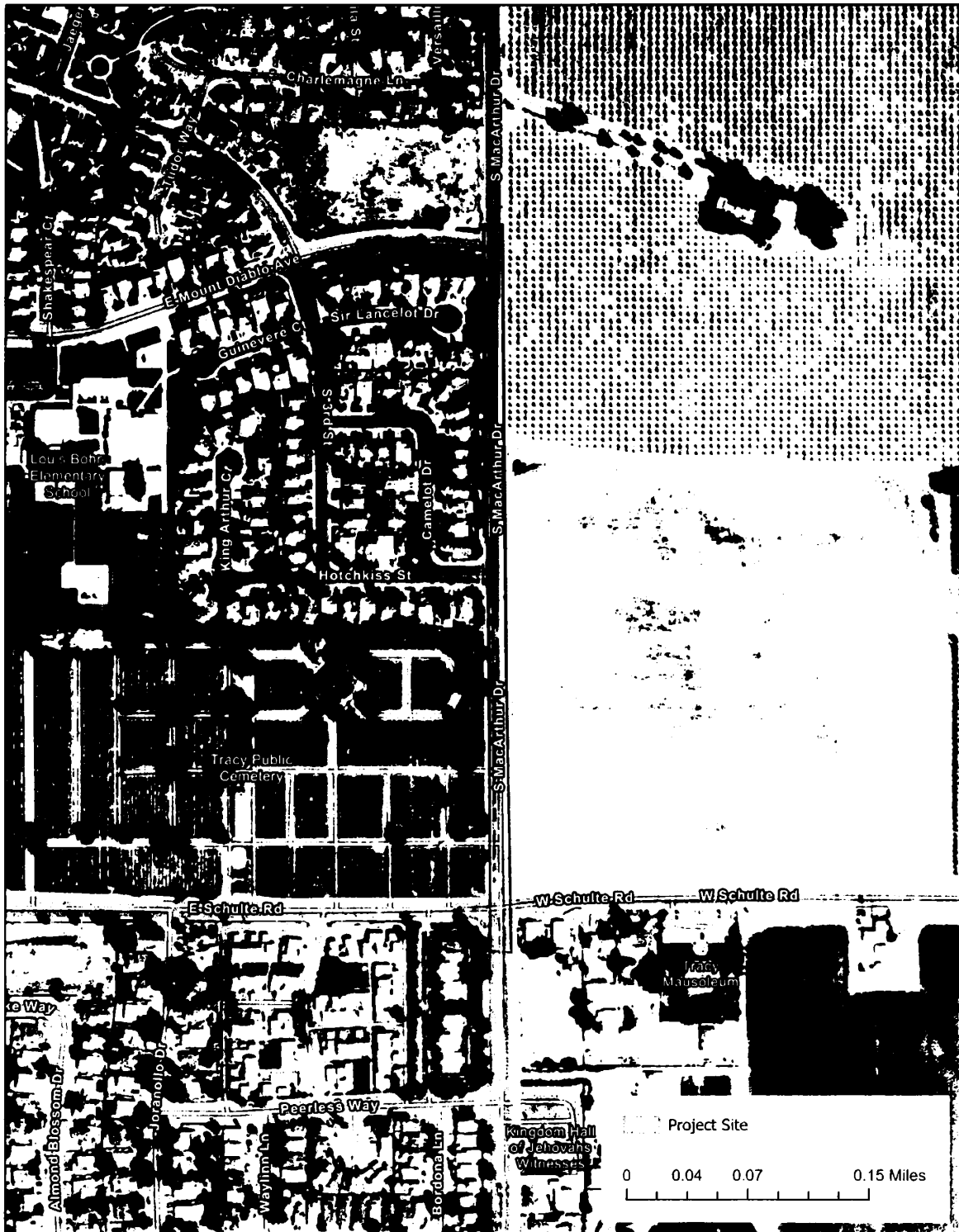
Source: ESRI, 2026

Figure 1: Regional Map
 MacArthur Drive ATP Grant Project
 City of Tracy



Not to scale

Kimley»Horn



Source: ESRI, 2026

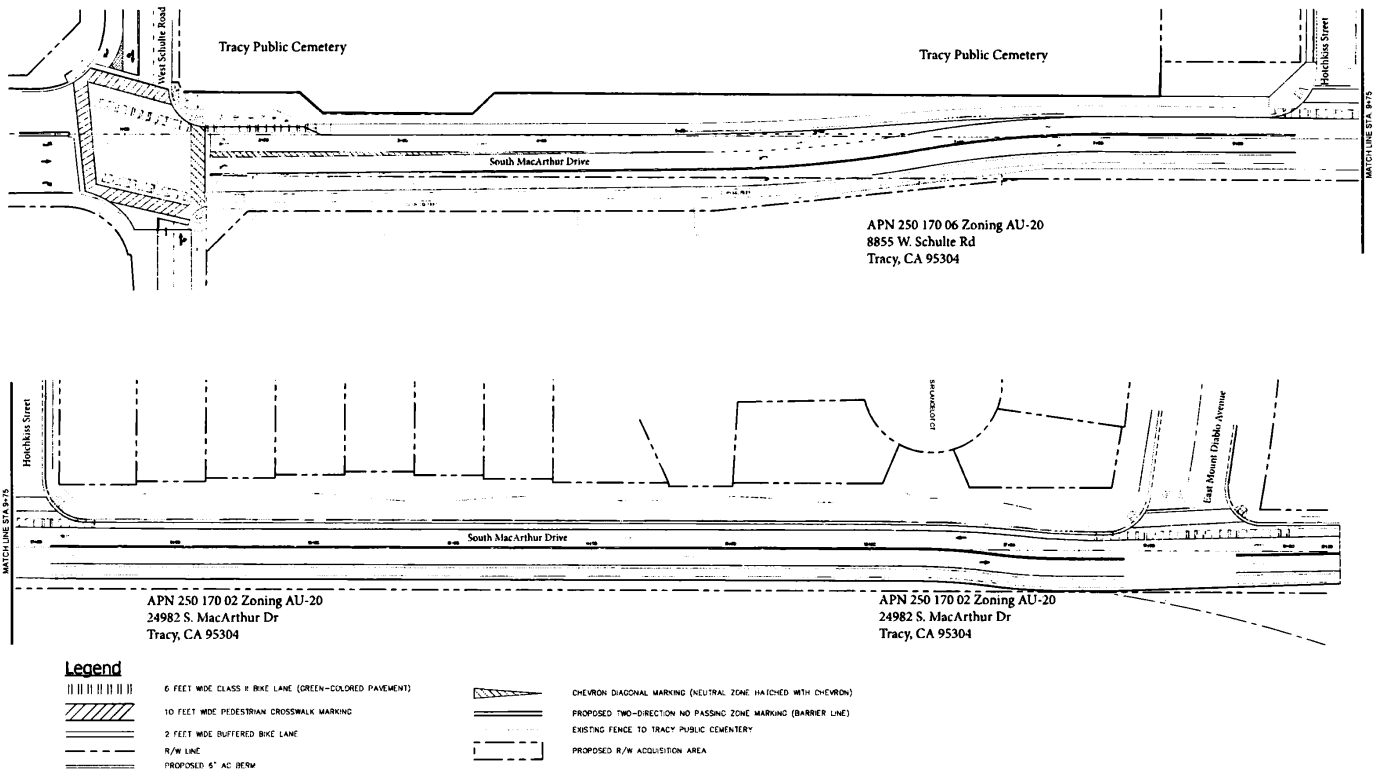
Figure 2: Vicinity Map

MacArthur Drive ATP Grant Project
City of Tracy



Not to scale

Kimley » Horn



Source: City of Tracy, 2026

Figure 3: Conceptual Plan
MacArthur Drive ATP Grant Project
City of Tracy



Not to scale

Kimley»Horn