

# **Grapevine Culvert Repair Project**

On Interstate 5 near the Community of Grapevine

06-KER-I5-7.5/9.0

0W160/06-1700-0097

## **Initial Study with Proposed Mitigated Negative Declaration**



Prepared by the  
State of California Department of Transportation

**January 2019**



## **General Information About This Document**

Please read this Initial Study. Additional copies of this document are available for review at the Caltrans district office at 1352 W. Olive Avenue, Fresno, CA 93728, Monday through Friday from 8:00 a.m. to 4:00 p.m., and at the Frazier Park Public Library, 3732 Park Drive, Frazier Park, CA 93225, Tuesday through Thursday from 11:00 a.m. to 7:00 p.m., and Friday and Saturday from 9:00 a.m. to 5:00 p.m.

The document can also be accessed electronically at the following website:  
<http://www.dot.ca.gov/dist6/environmental/envdocs/d6/>.

If you have any concerns about the project, please send your written comments to Caltrans by the deadline. Submit comments via U.S. mail to Caltrans at the following address:

Attn: G. William "Trais" Norris III, Southern San Joaquin Valley Management Branch  
California Department of Transportation  
855 M Street, Suite 200  
Fresno, CA 93721

Submit comments via email to: [trais.norris@dot.ca.gov](mailto:trais.norris@dot.ca.gov).

Submit comments by the deadline: March 26, 2019.

After comments are received from the public and reviewing agencies, Caltrans may 1) give environmental approval to the proposed project, 2) do additional environmental studies, or 3) abandon the project. If the project is given environmental approval and funding is appropriated, Caltrans could design and build all or part of the project.

For individuals with sensory disabilities, this document is available in Braille, in large print, on audiocassette, or on computer disk. To obtain a copy in one of these alternate formats, please write to or call Caltrans, Attn: G. William "Trais" Norris III, Southern San Joaquin Valley Management Branch, 855 M Street, Suite 200, Fresno, CA 93721; (559) 445-6447 (Voice), or use California Relay Service 1 (800) 735-2929 (TTY), 1 (800) 735-2929 (Voice), or 711.

06-KER-I5-7.5/9.0  
0W160/06-1700-0097

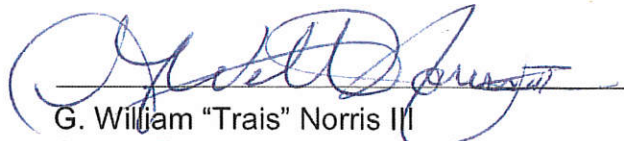
Upgrade culvert drainage systems on the Grapevine through Tejon Pass on  
Interstate 5 from post miles 7.5 to 9.0

**INITIAL STUDY  
with Proposed Mitigated Negative Declaration**

Submitted Pursuant to: (State) Division 13, California Public Resources Code

THE STATE OF CALIFORNIA  
Department of Transportation

1/18/19  
Date

  
G. William "Trais" Norris II  
Senior Environmental Planner  
California Department of Transportation

## **Proposed Mitigated Negative Declaration**

Pursuant to: Division 13, Public Resources Code

### ***Project Description***

The California Department of Transportation (Caltrans) proposes to repair concrete box culverts located within the median and outside shoulders of Interstate 5 between post miles 7.5 and 9.0 within the Tejon Pass in Kern County. Heavy rain and mud flows through this steep mountain pass during storms have damaged the concrete channel that lies between the northbound and southbound lanes of Interstate 5. Culverts along the channel have been damaged over time by the flow of storm water, mud and debris, requiring repair.

### ***Determination***

This proposed Mitigated Negative Declaration is included to give notice to interested agencies and the public that it is Caltrans' intent to adopt a Mitigated Negative Declaration for this project. This does not mean that Caltrans' decision on the project is final. This Mitigated Negative Declaration is subject to change based on comments received from interested agencies and the public.

Caltrans has prepared an Initial Study for this project and, pending public review, expects to determine from this study that the proposed project would not have a significant effect on the environment for the following reasons.

The proposed project would have no effect on existing or future land use, wild and scenic rivers, parks and recreational facilities, farmlands/timberlands, growth, the community, utilities, emergency services, traffic, transportation, pedestrian and bicycle facilities, visual characteristics/aesthetics, historic resources, archaeological resources, the floodplain, geology, soils, seismic activity, topography, wetlands and other waters, air quality, noise, hydrology and water quality.

In addition, the proposed project would have a less than significant effect on hazardous waste/materials and migratory wildlife.

The proposed project would not have a significant adverse effect on special-status species because the following mitigation measures would reduce potential effects to a less than significant level:

Preconstruction species surveys, environmentally sensitive area fencing, and biological monitoring (where required) would avoid and minimize impacts to special-status species. Any potential Tehachapi slender salamander habitat impacted by construction activities would be restored by revegetation with a native seed mix and replacement of any boulders or rocks that may serve as shelter.

Topsoil would be collected and salvaged from areas where any flowering populations within the work site are found. This topsoil would be spread over areas temporarily impacted, within or as close to the original location as possible once work is completed. Seed collection or transplantation of plants would occur if necessary.

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G. William "Trais" Norris III  
Senior Environmental Planner  
California Department of Transportation

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Date

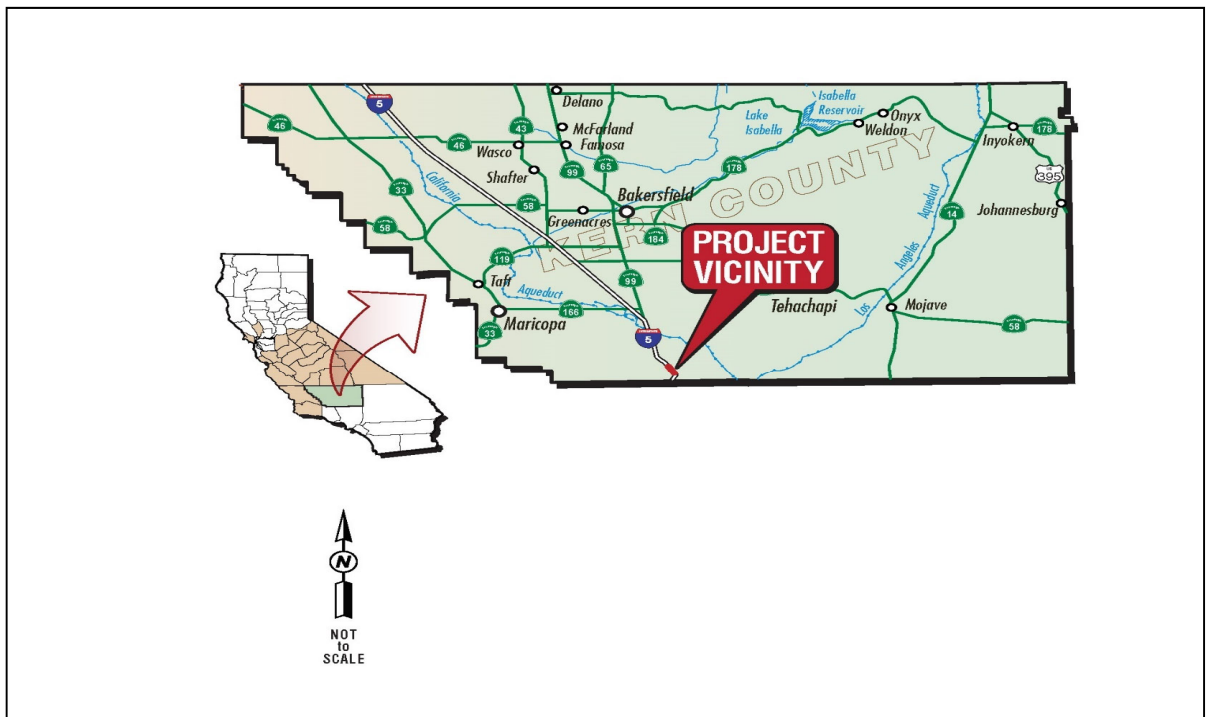
# Project Description and Background

## ***Project Title***

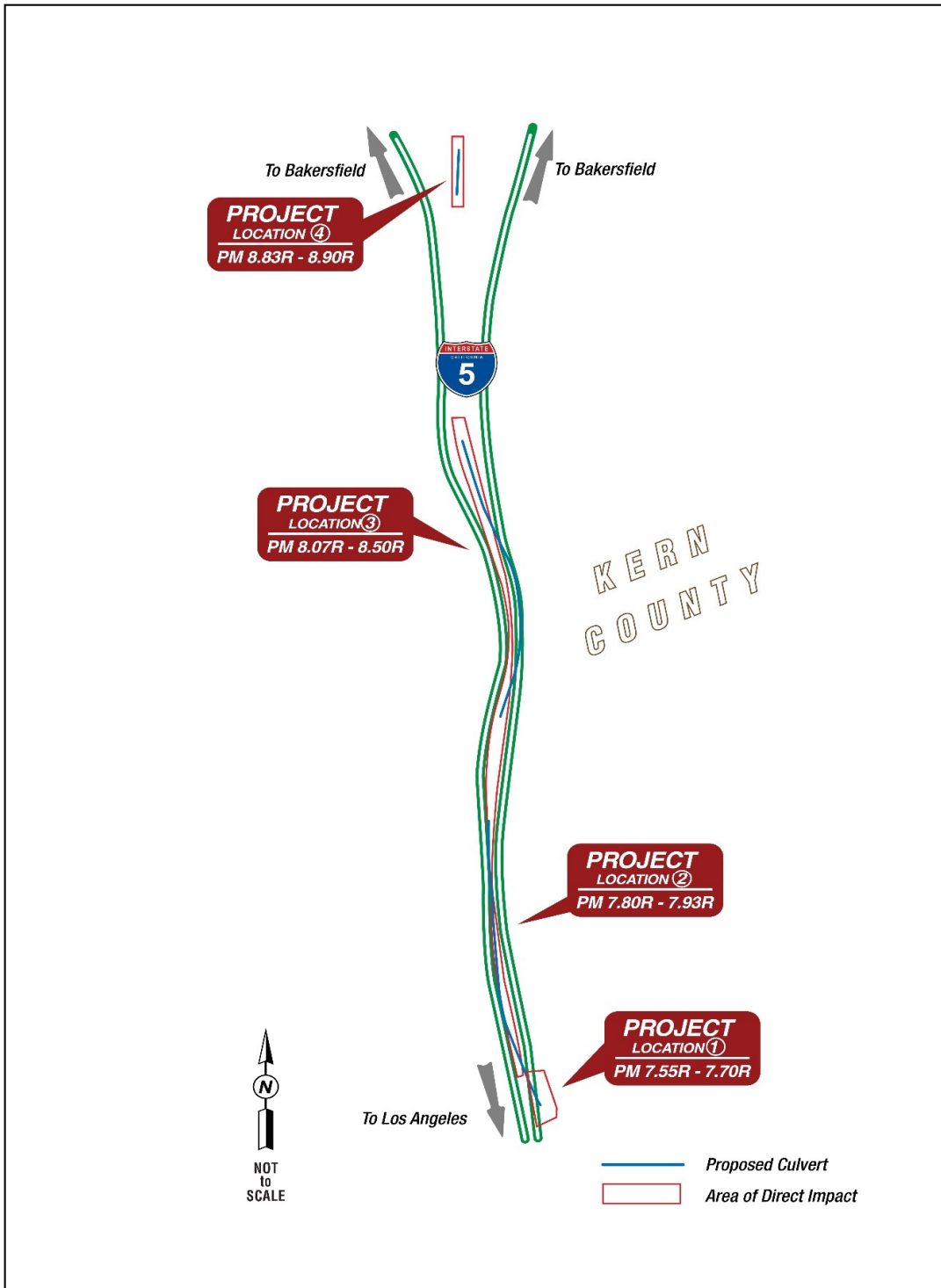
Grapevine Culvert Repair

## ***Project Location***

Interstate 5 between post miles 7.5 and 9.0 within the Tejon Pass in Kern County.



**Figure 1-1 Project Vicinity Map**



**Figure 1-2 Project Location Map**

### ***Description of Project***

The California Department of Transportation (Caltrans) proposes to repair concrete box culverts located within the median and outside shoulders of Interstate 5 between post miles 7.5 and 9.0 within the Tejon Pass in Kern County. See Figures 1-1 and 1-2. Heavy rain and mud flows through this steep mountain pass during storms have damaged the concrete channel that lies between the northbound and southbound lanes of Interstate 5. Culverts along the channel have been damaged over time by the flow of storm water, mud and debris, requiring repair.

### ***Surrounding Land Uses and Setting***

The project lies in the concrete channel of Grapevine Creek between the northbound and southbound lanes of Interstate 5. It is located in a steep mountain pass used for travel between the San Joaquin Valley and Southern California.

### ***Other Public Agencies Whose Approval is Required***

A 1600 Streambed Alteration Agreement with the California Department of Fish and Wildlife would be required for the project and obtained during the Plans, Specifications and Estimate phase. If the Tehachapi slender salamander is found during preconstruction surveys, which is not currently anticipated, consultation with the California Department of Fish and Wildlife would occur. Through this consultation, Caltrans would seek a 2081 Incidental Take Permit and compensatory mitigation would be required.

<b>Agency</b>	<b>Permit/Approval</b>	<b>Status</b>
California Department of Fish and Wildlife	1602 Agreement for Streambed Alteration	Applications for the 1602 permit agreement is expected after approval of the final environmental document

# CEQA Environmental Checklist

<b>06-KER-15</b>	<b>7.5/9.0</b>	<b>0W160</b>
Dist.-Co.-Rte.	P.M/P.M.	E.A.

This checklist identifies physical, biological, social and economic factors that might be affected by the proposed project. In many cases, background studies performed in connection with the projects indicate no impacts. A NO IMPACT answer in the last column reflects this determination. Where there is a need for clarifying discussion, the discussion is included either following the applicable section of the checklist or is within the body of the environmental document itself. The words "significant" and "significance" used throughout the following checklist are related to CEQA, not NEPA, impacts. The questions in this form are intended to encourage the thoughtful assessment of impacts and do not represent thresholds of significance.

	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
<b>I. AESTHETICS:</b> Would the project:				
a) Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Substantially degrade the existing visual character or quality of the site and its surroundings?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>II. AGRICULTURE AND FOREST RESOURCES:</b> In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment Project; and the forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. Would the project:				
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Result in the loss of forest land or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**III. AIR QUALITY:** Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:

a) Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Create objectionable odors affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**IV. BIOLOGICAL RESOURCES:** Would the project:

a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**V. CULTURAL RESOURCES:** Would the project:

a) Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Disturb any human remains, including those interred outside of dedicated cemeteries?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**VI. GEOLOGY AND SOILS:** Would the project:

a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
ii) Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iii) Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iv) Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**VII. GREENHOUSE GAS EMISSIONS:** Would the project:

- a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?
- b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?

Caltrans has used the best available information based to the extent possible on scientific and factual information, to describe, calculate, or estimate the amount of greenhouse gas emissions that may occur related to this project. The analysis included in the climate change section of this document provides the public and decision-makers as much information about the project as possible. It is Caltrans' determination that in the absence of statewide-adopted thresholds or GHG emissions limits, it is too speculative to make a significance determination regarding an individual project's direct and indirect impacts with respect to global climate change. Caltrans remains committed to implementing measures to reduce the potential effects of the project. These measures are outlined in the climate change section of the document.

**VIII. HAZARDS AND HAZARDOUS MATERIALS:** Would the project:

- a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?
- b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?
- c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**IX. HYDROLOGY AND WATER QUALITY:** Would the project:

a) Violate any water quality standards or waste discharge requirements?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Otherwise substantially degrade water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
j) Inundation by seiche, tsunami, or mudflow	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**X. LAND USE AND PLANNING:** Would the project:

a) Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**XI. MINERAL RESOURCES:** Would the project:

a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**XII. NOISE:** Would the project result in:

a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**XIII. POPULATION AND HOUSING:** Would the project:

a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**XIV. PUBLIC SERVICES:**

a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:

Fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
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**XV. RECREATION:**

- |  |                          |                          |                          |                                     |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?                        | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

**XVI. TRANSPORTATION/TRAFFIC:** Would the project:

- |   |                          |                          |                          |                                     |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| e) Result in inadequate emergency access?   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| f) Conflict with adopted policies, plans or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

**XVII. TRIBAL CULTURAL RESOURCES:** Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:

- |  |                          |                          |                          |                                     |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
b) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**XVIII. UTILITIES AND SERVICE SYSTEMS:** Would the project:

a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Comply with federal, state, and local statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
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#### XIX. MANDATORY FINDINGS OF SIGNIFICANCE

a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

## **Additional Explanations for Questions in the Impacts Checklist**

### *IV. Biological Resources (checklist questions a and d)*

#### *Plant Species*

##### ***Affected Environment***

A Natural Environment Study was completed for this project on December 20, 2018.

There is suitable habitat for special-status plant species in the project region, but not inside the impact area. These species include the adobe yampah, calico monkeyflower, Lemmon's jewelflower, Tejon poppy, Palmer's Mariposa lily, Piute Mountains navarretia, and umbrella larkspur.

The adobe yampah (*Perideridia pringlei*) is a perennial herb that is native and endemic to California. It is found in serpentinite, clay soils in chaparral, cismontane woodland, coastal scrub, and pinyon/juniper woodlands between 980 and 5,000 feet in elevation. This plant blooms between April and June. This species is listed as a California Native Plant Society rare plant with a rank of 4.3 (limited distribution).

The calico monkeyflower (*Diplacus pictus*) is an annual herb found in granitic or disturbed areas in broadleaved upland forest and cismontane woodland habitats between 320 and 4,700 feet in elevation. This plant blooms between March and May. This species is listed as a California Native Plant Society rare plant with a rank of 1B.2 (fairly endangered in California).

Lemmon's jewelflower (*Caulanthus lemmonii*) is an annual herb found in pinyon and juniper woodland and valley and foothill grassland habitats below 5,200 feet in elevation. This plant blooms between February and May and is listed as a California Native Plant Society rare plant with a rank of 1B.2 (fairly endangered in California).

The Tejon poppy (*Eschscholzia lemmonii* ssp. *kernensis*) is an annual herb found in open valley and foothill grassland and chenopod scrub habitats between 500 and 3,280 feet in elevation. This plant blooms between February and May. This species is listed as a California Native Plant Society rare plant with a rank of 1B.1 (seriously endangered in California).

Palmer's Mariposa lily (*Calochortus palmeri* var. *palmeri*) is a perennial bulbiferous herb found in mesic soils in chaparral, lower montane coniferous forests, meadow and seep habitats between 2,300 and 7,800 feet in elevation. This plant blooms between April and June and is listed as a California Native Plant Society rare plant with a rank of 1B.2 (fairly endangered in California).

Piute Mountains navarretia (*Navarretia setiloba*) is an annual herb found in clay or gravelly loam soils in cismontane woodland, pinyon and juniper woodland, and valley and foothill grassland habitats between 935 and 7,000 feet in elevation. This plant blooms between April and July. This species is listed as a California Native Plant Society rare plant with a rank of 1B.1 (seriously endangered in California).

The umbrella larkspur (*Delphinium umbraculorum*) is a perennial herb found in cismontane woodland, moist oak forest, and chaparral habitats between 1,300 and 5,300 feet in elevation. This plant typically blooms between April and June and is listed as a California Native Plant Society rare plant with a rank of 1B.3 (not very endangered in California).

### ***Environmental Consequences***

Most project construction would take place within the concrete-lined areas of Grapevine Creek which flows through the culverts. Disturbance to terrestrial habitat with potential to support sensitive plant species would be limited in area and duration to allow equipment access to the channel, and therefore would be considered temporary. No permanent loss of habitat is expected from project activities.

### ***Avoidance, Minimization, and/or Mitigation Measures***

Preconstruction botanical surveys would be completed during the appropriate blooming seasons prior to ground-disturbing activities at all work sites where suitable habitat occurs. If sensitive plants are found, areas that can be avoided during construction would be protected as an environmentally sensitive area and clearly designated by orange fencing. The following mitigation measures would also be implemented, where appropriate, when avoidance is not possible:

Topsoil would be collected and salvaged from areas where any flowering populations within the work site are found.

Topsoil would be spread over areas temporarily impacted, within or as close to the original location as possible, once work is completed.

Seed collection, or transplantation of plants would be done if necessary.

### **Animal Species**

#### ***Affected Environment***

A Natural Environment Study was completed for this project on November 19, 2018.

The pallid bat (a Species of Special Concern) has the potential to occur within the project study area. Pallid bats are found in rocky, arid and semi-arid locations. They have also been found in more open sparsely vegetated grasslands. They use rock crevices, caves, buildings, and bridges for day

roosting and more open sites for night roosting and foraging. Trees may also provide roosting habitat. Pallid bats are known to roost in groups of 20 or more and may roost with other bat species. Suitable roosting habitat for the pallid bat is present in the form of trees and culverts within the project area.

Mature trees and shrubs in the project area may also provide suitable nesting habitat for a variety of bird and raptor species.

### ***Environmental Consequences***

It is unlikely that pallid bats would roost in this heavily trafficked, disturbed area, so no impacts to the species are expected. Although the project culverts may be considered cave-like structures, no evidence of bat roosting was found.

Project-related activities may disturb birds nesting near the work area. This would be avoided and minimized to a less than significant level.

### ***Avoidance, Minimization, and/or Mitigation Measures***

The culvert repair work would have very little if any impact on the pallid bat. There would be no work near cliffs, rocky areas, or bridges where these bats are likely to roost. No impacts to the pallid bat are anticipated, so no avoidance, minimization, and/or mitigation measures are required.

Avoidance and minimization measures and Standard Special Provisions are proposed to comply with the Migratory Bird Treaty Act by ensuring that project-related activities do not result in harmful impacts to nesting birds or their nests, eggs, and young. These may include one or more of the following actions, as appropriate: preconstruction surveys, biological monitoring during initial ground-disturbing activities, seasonal restrictions on the removal of suitable nest trees or brush, and the placement of environmentally sensitive area buffers around nests or burrows as required. These involve the following Standard Special Provisions:

Standard Special Provision 14-1.01 Environmental Stewardship, including Environmentally Sensitive Areas

Standard Special Provision 14-6.02 Species Protection (buffers, work stoppage areas)

Standard Special Provision 14-6.03 Bird Protection (nest protection buffers)

### ***Threatened and Endangered Species***

### ***Affected Environment***

A Natural Environment Study was completed for this project on November 19, 2018.

The Tehachapi slender salamander (State Threatened) has the potential to occur within the project study area. This salamander is endemic to California and is found in canyon junctions and northern slopes of the Tehachapi Mountains from Tejon Canyon to Fort Tejon. Preferred habitat for this species includes valley-foothill hardwood-conifer, valley-foothill riparian, and oak and mixed woodlands with steep slopes in moist canyons and ravines. Sightings of the species have been recorded in elevations ranging from 1,660 feet in the Paiute Mountains to 5,572 feet in the Tehachapi Mountains. In the Tehachapi Mountains, sightings have been documented at elevations ranging from 2,700 feet near Grapevine Creek to 5,575 feet in the mountains.

Habitat for the Tehachapi slender salamander is present in the form of moist soil, leaf litter and rocks. This habitat occurs at two of the four locations in areas around the channels, but not inside the culverts.

Habitat for federally listed species is not present.

### ***Environmental Consequences***

Ground disturbance associated with culvert repair may impact Tehachapi slender salamander habitat. No Tehachapi slender salamanders or signs of presence of Tehachapi slender salamanders were found during site investigations. Because of existing site conditions, the minimal amount of habitat and generally low quality of habitat that is present on the sites, it is unlikely Tehachapi slender salamanders are present.

If the Tehachapi slender salamander is found during preconstruction surveys, consultation with the California Department of Fish and Wildlife would occur. Through this consultation, Caltrans would seek a 2081 Incidental Take Permit and compensatory mitigation would be required.

A federal species list was obtained on November 13, 2018 and is included in Appendix C. The effect finding was “No Effect” for each species.

### ***Avoidance, Minimization, and/or Mitigation Measures***

Any potential Tehachapi slender salamander habitat impacted by construction activities would be restored by revegetation with a native seed mix and replacement of any boulders or rocks that may serve as shelter. Preconstruction species surveys, environmentally sensitive area fencing, and biological monitoring (where required) would avoid and minimize impacts to special-status species.

## *VII. Hazards and Hazardous Materials (checklist questions a and d)*

### *Hazardous Waste*

#### ***Affected Environment***

A hazardous waste report was completed on May 22, 2017. Aerially deposited lead exists in the soil of the project site, though the levels are unknown.

Also found within the project limits is a site that is on the Cortese list, a list of hazardous waste and substances sites compiled each year by the California Environmental Protection Agency. The site includes a Mobil pumping station listed on Geotracker within the project boundaries as a closed crude oil/petroleum release case. It is uphill from the culvert at the project's northern Post Mile limits. The culvert is not near the site.

#### ***Environmental Consequences***

No excess soil would be generated, so an aerially deposited lead agreement would not be necessary. However, lead is a hazardous material and has the potential to impact worker safety.

Aerially deposited lead from the historical use of leaded gasoline exists along roadways throughout California. There is the likely presence of soils with elevated concentrations of lead as a result of aerially deposited lead on the state highway system right-of-way within the limits of the project build alternative. Soil determined to contain lead concentrations exceeding stipulated thresholds must be managed under the July 1, 2016, Aerially Deposited Lead Agreement between Caltrans and the California Department of Toxic Substances Control. The agreement allows such soils to be safely reused within the project limits as long as all requirements of the Aerially Deposited Lead Agreement are met.

The site found on the Cortese list is not expected to impact the project because all work would be done in the Caltrans right-of-way. No further study of the site is required.

#### ***Avoidance, Minimization, and/or Mitigation Measures***

Standard Special Provisions would be included in the construction contract to address proper handling and worker safety issues to minimize exposure to the potential lead hazards. Standard Special Provision 71.02K(6)6(iii), which addresses the need for a Lead Compliance Plan, is required, and the plan would be provided at a later date for inclusion in the construction package.

Standard Special Provisions would not be necessary for the site on the Cortese list because the site would be avoided entirely.

## **Appendix A Climate Change**

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Climate change refers to long-term changes in temperature, precipitation, wind patterns, and other elements of the earth's climate system. An ever-increasing body of scientific research attributes these climatological changes to greenhouse gas (GHG) emissions, particularly those generated from the production and use of fossil fuels.

While climate change has been a concern for several decades, the establishment of the Intergovernmental Panel on Climate Change (IPCC) by the United Nations and World Meteorological Organization in 1988 has led to increased efforts devoted to greenhouse gas emissions reduction and climate change research and policy. These efforts are concerned mostly with the emissions of greenhouse gases generated by human activity, including carbon dioxide (CO<sub>2</sub>), methane (CH<sub>4</sub>), nitrous oxide (N<sub>2</sub>O), tetrafluoromethane, hexafluoroethane, sulfur hexafluoride (SF<sub>6</sub>), HFC-23 (fluoroform), HFC-134a (1, 1, 1, 2-tetrafluoroethane), and HFC-152a (difluoroethane).

In the U.S., the main source of GHG emissions is electricity generation, followed by transportation.<sup>1</sup> In the U.S., the main source of greenhouse gas emissions is electricity generation, followed by transportation. In California, however, transportation sources (including passenger cars, light-duty trucks, other trucks, buses, and motorcycles) are the largest contributors of GHG emissions.<sup>2</sup> The dominant greenhouse gas emitted is CO<sub>2</sub>, mostly from fossil fuel combustion.

Two terms are typically used when discussing how we address the impacts of climate change: “greenhouse gas mitigation” and “adaptation.” “Greenhouse gas mitigation” covers the activities and policies aimed at reducing greenhouse gas emissions to reduce or “mitigate” the impacts of climate change. “Adaptation,” on the other hand, is concerned with planning for and responding to impacts resulting from climate change (such as adjusting transportation design standards to withstand more intense storms and higher sea levels).

### ***Regulatory Setting***

This section outlines federal and state efforts to comprehensively reduce greenhouse gas emissions from transportation sources.

#### ***Federal***

To date, no national standards have been established for nationwide mobile-source greenhouse gas reduction targets, nor have any regulations or

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<sup>1</sup> <https://www.epa.gov/ghgemissions/us-greenhouse-gas-inventory-report-1990-2014>

<sup>2</sup> <https://www.arb.ca.gov/cc/inventory/data/data.htm>

legislation been enacted specifically to address climate change and greenhouse gas emissions reduction at the project level.

The National Environmental Policy Act (NEPA) (42 United States Code Part 4332) requires federal agencies to assess the environmental effects of their proposed actions prior to making a decision on the action or project.

The Federal Highway Administration recognizes the threats that extreme weather, sea-level change, and other changes in environmental conditions pose to valuable transportation infrastructure and those who depend on it. The Federal Highway Administration therefore supports a sustainability approach that assesses vulnerability to climate risks and incorporates resilience into planning, asset management, project development and design, and operations and maintenance practices.<sup>3</sup> This approach encourages planning for sustainable highways by addressing climate risks while balancing environmental, economic, and social values—“the triple bottom line of sustainability.”<sup>4</sup> Program and project elements that foster sustainability and resilience also support economic vitality and global efficiency, increase safety and mobility, enhance the environment, promote energy conservation, and improve the quality of life. Addressing these factors up front in the planning process will assist in decision-making and improve efficiency at the program level and will inform the analysis and stewardship needs of project-level decision-making.

Various efforts have been made at the federal level to improve fuel economy and energy efficiency to address climate change and its associated effects.

The Energy Policy Act of 1992 (EPACT92, 102nd Congress H.R.776.ENR): With this act, Congress set goals, created mandates, and amended utility laws to increase clean energy use and improve overall energy efficiency in the United States. EPACT92 consists of 27 titles detailing various measures designed to lessen the nation’s dependence on imported energy, provide incentives for clean and renewable energy, and promote energy conservation in buildings. Title III of EPACT92 addresses alternative fuels. It gave the U.S. Department of Energy administrative power to regulate the minimum number of light-duty alternative fuel vehicles required in certain federal fleets beginning in fiscal year 1993. The main goal of the program is to cut petroleum use in the United States by 2.5 billion gallons per year by 2020.

Energy Policy Act of 2005 (109th Congress H.R.6 (2005–2006): This act sets forth an energy research and development program covering: (1) energy efficiency; (2) renewable energy; (3) oil and gas; (4) coal; (5) the establishment of the Office of Indian Energy Policy and Programs within the Department of Energy; (6) nuclear matters and security; (7) vehicles and

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<sup>3</sup> <https://www.fhwa.dot.gov/environment/sustainability/resilience/>

<sup>4</sup> <https://www.sustainablehighways.dot.gov/overview.aspx>

motor fuels, including ethanol; (8) hydrogen; (9) electricity; (10) energy tax incentives; (11) hydropower and geothermal energy; and (12) climate change technology.

Energy Policy and Conservation Act of 1975 (42 USC Section 6201) and Corporate Average Fuel Standards: This act establishes fuel economy standards for on-road motor vehicles sold in the United States. Compliance with federal fuel economy standards is determined through the Corporate Average Fuel Economy (CAFE) program on the basis of each manufacturer's average fuel economy for the portion of its vehicles produced for sale in the United States.

The U.S. EPA's authority to regulate greenhouse gas emissions stems from the U.S. Supreme Court decision in *Massachusetts v. EPA* (2007). The Supreme Court ruled that greenhouse gases meet the definition of air pollutants under the existing Clean Air Act and must be regulated if these gases could be reasonably anticipated to endanger public health or welfare. Responding to the court's ruling, the U.S. EPA finalized an endangerment finding in December 2009. Based on scientific evidence, it found that six greenhouse gases constitute a threat to public health and welfare. Thus, it is the Supreme Court's interpretation of the existing act and EPA's assessment of the scientific evidence that form the basis for EPA's regulatory actions.

The U.S. EPA in conjunction with the National Highway Traffic Safety Administration (NHTSA) issued the first of a series of greenhouse gas emission standards for new cars and light-duty vehicles in April 2010<sup>5</sup> and significantly increased the fuel economy of all new passenger cars and light trucks sold in the United States. The standards required these vehicles to meet an average fuel economy of 34.1 miles per gallon by 2016. In August 2012, the federal government adopted the second rule that increases fuel economy for the fleet of passenger cars, light-duty trucks, and medium-duty passenger vehicles for model years 2017 and beyond to average fuel economy of 54.5 miles per gallon by 2025. Because the National Highway Traffic Safety Administration cannot set standards beyond model year 2021 due to statutory obligations and the rules' long timeframe, a mid-term evaluation is included in the rule. The Mid-Term Evaluation is the overarching process by which the National Highway Traffic Safety Administration, EPA, and Air Resources Board will decide on the Corporate Average Fuel Economy (CAFE) and greenhouse gas emissions standard stringency for model years 2022–2025. The National Highway Traffic Safety Administration has not formally adopted standards for model years 2022 through 2025. However, the EPA finalized its mid-term review in January 2017, affirming that the target fleet average of at least 54.5 miles per gallon by 2025 was

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<sup>5</sup> <https://one.nhtsa.gov/Laws-&-Regulations/CAFE-%E2%80%93-Fuel-Economy>

appropriate. In March 2017, President Donald Trump ordered the EPA to reopen the review and reconsider the mileage target.<sup>6</sup>

The National Highway Traffic Safety Administration and EPA issued a Final Rule for “Phase 2” for medium- and heavy-duty vehicles to improve fuel efficiency and cut carbon pollution in October 2016. The agencies estimate that the standards will save up to 2 billion barrels of oil and reduce CO<sub>2</sub> emissions by up to 1.1 billion metric tons over the lifetimes of model year 2018–2027 vehicles.

### *State*

With the passage of legislation including State Senate and Assembly bills and executive orders, California has been innovative and proactive in addressing greenhouse gas emissions and climate change.

Assembly Bill 1493, Pavley Vehicular Emissions: Greenhouse Gases, 2002: This bill requires the California Air Resources Board (ARB) to develop and implement regulations to reduce automobile and light truck greenhouse gas emissions. These stricter emissions standards were designed to apply to automobiles and light trucks beginning with the 2009-model year.

Executive Order S-3-05 (June 1, 2005): The goal of this order is to reduce California’s greenhouse gas emissions to: (1) year 2000 levels by 2010, (2) year 1990 levels by 2020, and (3) 80 percent below year 1990 levels by 2050. This goal was further reinforced with the passage of Assembly Bill 32 in 2006 and SB 32 in 2016.

Assembly Bill 32 (AB 32), Chapter 488, 2006: Núñez and Pavley, The Global Warming Solutions Act of 2006: AB 32 codified the 2020 greenhouse gas emissions reduction goals as outlined in Executive Order S-3-05, while further mandating that the Air Resources Board create a scoping plan and implement rules to achieve “real, quantifiable, cost-effective reductions of greenhouse gases.” The Legislature also intended that the statewide greenhouse gas emissions limit continue in existence and be used to maintain and continue reductions in emissions of greenhouse gases beyond 2020 (Health and Safety Code Section 38551(b)). The law requires the Air Resources Board to adopt rules and regulations in an open public process to achieve the maximum technologically feasible and cost-effective greenhouse gas reductions.

Executive Order S-01-07 (January 18, 2007): This order set forth the low carbon fuel standard (LCFS) for California. Under this order, the carbon intensity of California’s transportation fuels is to be reduced by at least 10 percent by the year 2020. The Air Resources Board re-adopted the LCFS

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<sup>6</sup> <https://www.federalregister.gov/documents/2017/03/22/2017-05316/notice-of-intention-to-reconsider-the-final-determination-of-the-mid-term-evaluation-of-greenhouse>

regulation in September 2015, and the changes went into effect on January 1, 2016. The program establishes a strong framework to promote the low-carbon fuel adoption necessary to achieve the Governor's 2030 and 2050 greenhouse gas reduction goals.

Senate Bill 97 (SB 97), Chapter 185, 2007, Greenhouse Gas Emissions: This bill requires the Governor's Office of Planning and Research (OPR) to develop recommended amendments to the California Environmental Quality Act (CEQA) Guidelines for addressing greenhouse gas emissions. The amendments became effective on March 18, 2010.

Senate Bill 375 (SB 375), Chapter 728, 2008, Sustainable Communities and Climate Protection: This bill requires Air Resources Board to set regional emissions reduction targets for passenger vehicles. The Metropolitan Planning Organization (MPO) for each region must then develop a "Sustainable Communities Strategy" (SCS) that integrates transportation, land use, and housing policies to plan how it will achieve the emissions target for its region.

Senate Bill 391 (SB 391), Chapter 585, 2009, California Transportation Plan: This bill requires the State's long-range transportation plan to meet California's climate change goals under AB 32.

Executive Order B-16-12 (March 2012): This order required state entities under the direction of the governor, including the Air Resources Board, the California Energy Commission, and the Public Utilities Commission, to support the rapid commercialization of zero-emission vehicles. It directs these entities to achieve various benchmarks related to zero-emission vehicles.

Executive Order B-30-15 (April 2015): This order established an interim statewide greenhouse gas emission reduction target of 40 percent below 1990 levels by 2030 in order to ensure California meets its target of reducing greenhouse gas emissions to 80 percent below 1990 levels by 2050. It further orders all state agencies with jurisdiction over sources of greenhouse gas emissions to implement measures, pursuant to statutory authority, to achieve reductions of greenhouse gas emissions to meet the 2030 and 2050 greenhouse gas emissions reductions targets. It also directs the Air Resources Board to update the Climate Change Scoping Plan to express the 2030 target in terms of million metric tons of carbon dioxide equivalent (MMTCO<sub>2</sub>e). Finally, it requires the Natural Resources Agency to update the state's climate adaptation strategy, Safeguarding California, every 3 years, and to ensure that its provisions are fully implemented.

Senate Bill 32, (SB 32) Chapter 249, 2016: This bill codifies the greenhouse gas reduction targets established in Executive Order B-30-15 to achieve a mid-range goal of 40 percent below 1990 levels by 2030.

### *Environmental Setting*

In 2006, the Legislature passed the California Global Warming Solutions Act of 2006 (AB 32), which created a comprehensive, multi-year program to reduce greenhouse gas emissions in California. AB 32 required the Air Resources Board to develop a Scoping Plan that describes the approach California will take to achieve the goal of reducing greenhouse gas emissions to 1990 levels by 2020. The Scoping Plan was first approved by the Air Resources Board in 2008 and must be updated every 5 years. The second updated plan, California's 2017 Climate Change Scoping Plan, adopted on December 14, 2017, reflects the 2030 target established in EO B-30-15 and SB 32.

The AB 32 Scoping Plan and the subsequent updates contain the main strategies California will use to reduce greenhouse gas emissions. As part of its supporting documentation for the updated Scoping Plan, the Air Resources Board released the greenhouse gas inventory for California.<sup>7</sup> The Air Resources Board is responsible for maintaining and updating California's Greenhouse Gas Inventory per H&SC Section 39607.4. The associated forecast/projection is an estimate of the emissions anticipated to occur in the year 2020 if none of the foreseeable measures included in the Scoping Plan were implemented.

An emissions projection estimates future emissions based on current emissions, expected regulatory implementation, and other technological, social, economic, and behavioral patterns. The projected 2020 emissions provided in Figure A-1 represent a business-as-usual (BAU) scenario assuming none of the Scoping Plan measures are implemented. The 2020 BAU emissions estimate assists the Air Resources Board in demonstrating progress toward meeting the 2020 goal of 431 MMTCO<sub>2</sub>e.<sup>8</sup> The 2018 edition of the GHG emissions inventory found total California emissions of 429 MMTCO<sub>2</sub>e for 2016.

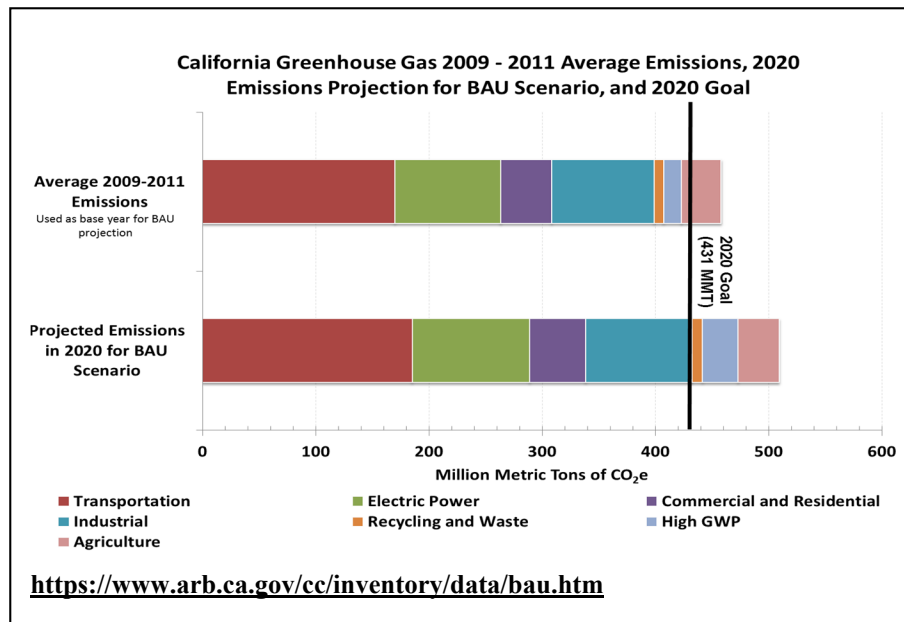
The 2020 BAU emissions projection was revisited in support of the First Update to the Scoping Plan (2014). This projection accounts for updates to the economic forecasts of fuel and energy demand as well as other factors. It also accounts for the effects of the 2008 economic recession and the projected recovery. The total emissions expected in the 2020 BAU scenario include reductions anticipated from Pavley I and the Renewable Electricity Standard (30 MMTCO<sub>2</sub>e total). With these reductions in the baseline, estimated 2020 statewide BAU emissions are 509 MMTCO<sub>2</sub>e.

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<sup>7</sup> 2018 Edition of the GHG Emission Inventory Released (July 2018): <https://www.arb.ca.gov/cc/inventory/data/data.htm>

<sup>8</sup> The revised target using Global Warming Potentials (GWP) from the IPCC Fourth Assessment Report (AR4)

**Figure A-1 2020 Business as Usual (BAU) Emissions Projection 2014 Edition**



### **Project Analysis**

An individual project does not generate enough greenhouse gas emissions to significantly influence global climate change. Rather, global climate change is a cumulative impact. This means that a project may contribute to a potential impact through its *incremental* change in emissions when combined with the contributions of all other sources of greenhouse gas.<sup>9</sup> In assessing cumulative impacts, it must be determined if a project's incremental effect is "cumulatively considerable" (CEQA Guidelines Sections 15064(h)(1) and 15130). To make this determination, you must compare the incremental impacts of the project with the effects of past, current, and probable future projects. To gather sufficient information on a global scale of all past, current, and future projects to make this determination is a difficult, if not impossible, task.

Greenhouse gas emissions for transportation projects can be divided into those produced during operations and those produced during construction. The following represents a best faith effort to describe the potential greenhouse gas emissions related to the proposed project.

<sup>9</sup> This approach is supported by the AEP: *Recommendations by the Association of Environmental Professionals on How to Analyze GHG Emissions and Global Climate Change in CEQA Documents* (March 5, 2007), as well as the South Coast Air Quality Management District (Chapter 6: The CEQA Guide, April 2011) and the US Forest Service (Climate Change Considerations in Project Level NEPA Analysis, July 13, 2009).

### ***Operational Emissions***

The proposed project involves repairing the damaged concrete culvert. It does not affect the roadway, add roadway capacity, or change traffic volume or vehicle miles traveled. While some construction GHG emissions would be unavoidable, no increase in operational GHG emissions is anticipated.

### ***Construction Emissions***

Construction greenhouse gas emissions would result from material processing, onsite construction equipment, and traffic delays due to construction. These emissions will be produced at different levels throughout the construction phase; their frequency and occurrence can be reduced through innovations in plans and specifications and by implementing better traffic management during construction phases.

In addition, with innovations such as longer pavement lives, improved traffic management plans, and changes in materials, the greenhouse gas emissions produced during construction can be offset to some degree by longer intervals between maintenance and rehabilitation activities.

Construction activities on the project would emit 344 tons of CO<sub>2</sub> per year and the project construction is expected to take 80 working days. The total amount of greenhouse gas emissions in the form of CO<sub>2</sub> will be approximately 74 tons.

Strategies to reduce greenhouse gases on this project include the minimization of equipment idling time. All Caltrans construction contracts also include Standard Specifications 7-1.02, Emissions Reduction, certifying contractors will comply with CARB regulations; and Section 14.9-02, Air Pollution Control, which requires compliance with “air-pollution-control rules, regulations, ordinances, and statutes” of state and local authorities.

### ***CEQA Conclusion***

While the project will result in GHG emissions during construction, it is anticipated that the project will not result in any increase in operational GHG emissions. While it is Caltrans’ determination that in the absence of further regulatory or scientific information related to GHG emissions and CEQA significance, it is too speculative to make a significance determination regarding the project’s direct impact and its contribution on the cumulative scale to climate change, Caltrans is firmly committed to implementing measures to help reduce GHG emissions. These measures are outlined in the following sections.

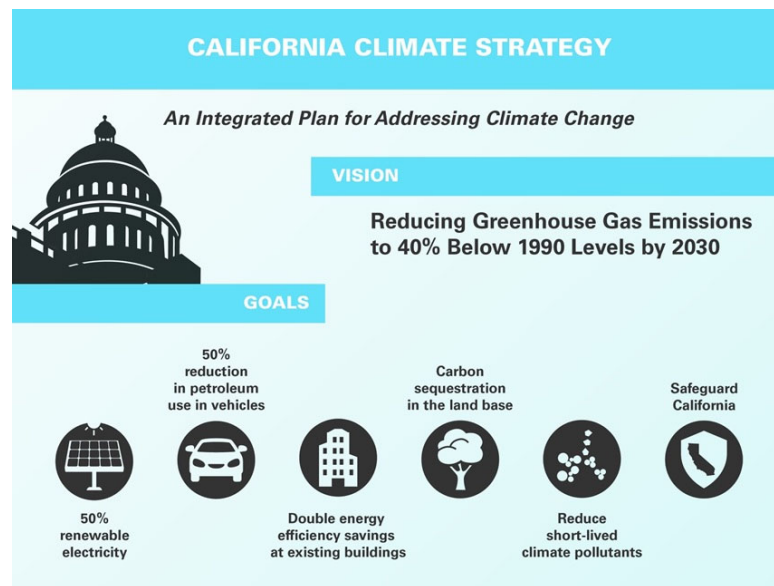
### ***Greenhouse Gas Reduction Strategies***

#### ***Statewide Efforts***

To further the vision of California’s greenhouse gas reduction targets outlined in AB 32 and SB 32, Governor Edmund G. Brown Jr. identified key climate

change strategy pillars (concepts). See Figure A-2. These pillars highlight the idea that several major areas of the California economy will need to reduce emissions to meet the 2030 greenhouse gas emissions target. These pillars are (1) reducing today's petroleum use in cars and trucks by up to 50 percent; (2) increasing from one-third to 50 percent our electricity derived from renewable sources; (3) doubling the energy-efficiency savings achieved at existing buildings and making heating fuels cleaner; (4) reducing the release of methane, black carbon, and other short-lived climate pollutants; (5) managing farm and rangelands, forests, and wetlands so they can store carbon; and (6) periodically updating the state's climate adaptation strategy, Safeguarding California.

**Figure A-2 Governor's Climate Change Pillars: 2030 Greenhouse Gas Reduction Goals**



The transportation sector is integral to the people and economy of California. To achieve greenhouse gas emission reduction goals, it is vital that we build on our past successes in reducing criteria and toxic air pollutants from transportation and goods movement activities. Greenhouse gas emission reductions will come from cleaner vehicle technologies, lower-carbon fuels, and reduction of vehicle miles traveled. One of Governor Brown's key pillars sets the ambitious goal of reducing today's petroleum use in cars and trucks by up to 50 percent by 2030.

Governor Brown called for support to manage natural and working lands, including forests, rangelands, farms, wetlands, and soils, so they can store carbon. These lands have the ability to remove carbon dioxide from the atmosphere through biological processes, and to then sequester carbon in above- and below-ground matter.

### *Caltrans Activities*

Caltrans continues to be involved on the Governor's Climate Action Team as the Air Resources Board works to implement Executive Orders S-3-05 and S-01-07 and help achieve the targets set forth in AB 32. Executive Order B-30-15, issued in April 2015, and SB 32 (2016), set a new interim target to cut greenhouse gas emissions to 40 percent below 1990 levels by 2030. The following major initiatives are underway at Caltrans to help meet these targets.

### *California Transportation Plan (CTP 2040)*

The California Transportation Plan (CTP) is a statewide, long-range transportation plan to meet our future mobility needs and reduce greenhouse gas emissions. The plan defines performance-based goals, policies, and strategies to achieve our collective vision for California's future statewide, integrated, multimodal transportation system. It serves as an umbrella document for all of the other statewide transportation planning documents.

SB 391 (Liu 2009) requires the California Transportation Plan to meet California's climate change goals under AB 32. Accordingly, the CTP 2040 identifies the statewide transportation system needed to achieve maximum feasible greenhouse gas emission reductions while meeting the state's transportation needs. While Metropolitan Planning Organizations have primary responsibility for identifying land use patterns to help reduce greenhouse gas emissions, CTP 2040 identifies additional strategies in Pricing, Transportation Alternatives, Mode Shift, and Operational Efficiency.

### *Caltrans Strategic Management Plan*

The Strategic Management Plan, released in 2015, creates a performance-based framework to preserve the environment and reduce greenhouse gas emissions, among other goals. Specific performance targets in the plan that will help to reduce greenhouse gas emissions include the following:

- Increasing percentage of non-auto mode share
- Reducing vehicle miles traveled per capita
- Reducing Caltrans' internal operational (buildings, facilities, and fuel) greenhouse gas emissions

### *Funding and Technical Assistance Programs*

In addition to developing plans and performance targets to reduce greenhouse gas emissions, Caltrans also administers several funding and technical assistance programs that have greenhouse gas reduction benefits. These include the Bicycle Transportation Program, Safe Routes to School, Transportation Enhancement Funds, and Transit Planning Grants. A more

extensive description of these programs can be found in Caltrans Activities to Address Climate Change (2013).

The Caltrans Director's Policy 30 (DP-30) Climate Change (June 22, 2012) is intended to establish a department policy that will ensure coordinated efforts to incorporate climate change into departmental decisions and activities.

Caltrans Activities to Address Climate Change (April 2013) provides a comprehensive overview of activities undertaken by Caltrans statewide to reduce greenhouse gas emissions resulting from agency operations.

#### *Project-Level Greenhouse Gas Reduction Strategies*

The following measures will also be implemented in the project to reduce greenhouse gas emissions and potential climate change impacts from the project.

Minimization of equipment idling time.

The construction contracts will include Standard Specifications 7-1.02, Emissions Reduction, certifying contractors will comply with CARB regulations.

The construction contracts will include Section 14.9-02, Air Pollution Control, which requires compliance with "air-pollution-control rules, regulations, ordinances, and statutes" of state and local authorities. Common regulations such as minimizing idling time and properly maintaining engines can help reduce greenhouse gas emissions from construction equipment.

#### *Adaptation Strategies*

"Adaptation strategies" refer to how Caltrans and others can plan for the effects of climate change on the state's transportation infrastructure and strengthen or protect the facilities from damage—or, put another way, planning and design for resilience. Climate change is expected to produce increased variability in precipitation, rising temperatures, rising sea levels, variability in storm surges and their intensity, and the frequency and intensity of wildfires. These changes may affect the transportation infrastructure in various ways, such as damage to roadbeds from longer periods of intense heat; increasing storm damage from flooding and erosion; and inundation from rising sea levels. These effects will vary by location and may, in the most extreme cases, require that a facility be relocated or redesigned. These types of impacts to the transportation infrastructure may also have economic and strategic ramifications.

### Federal Efforts

At the federal level, the Climate Change Adaptation Task Force, co-chaired by the Council on Environmental Quality, the Office of Science and Technology Policy (OSTP), and the National Oceanic and Atmospheric Administration (NOAA), released its interagency task force progress report on October 28, 2011<sup>10</sup>, outlining the federal government's progress in expanding and strengthening the nation's capacity to better understand, prepare for, and respond to extreme events and other climate change impacts. The report provided an update on actions in key areas of federal adaptation, including building resilience in local communities, safeguarding critical natural resources such as fresh water, and providing accessible climate information and tools to help decision-makers manage climate risks.

The federal Department of Transportation issued a U.S. DOT Policy Statement on Climate Adaptation in June 2011, committing to “integrate consideration of climate change impacts and adaptation into the planning, operations, policies, and programs of DOT in order to ensure that taxpayer resources are invested wisely and that transportation infrastructure, services and operations remain effective in current and future climate conditions.”<sup>11</sup>

To further the DOT Policy Statement, on December 15, 2014, the Federal Highway Administration issued order 5520 (*Transportation System Preparedness and Resilience to Climate Change and Extreme Weather Events*).<sup>12</sup> This directive established a Federal Highway Administration policy to strive to identify the risks of climate change and extreme weather events to current and planned transportation systems. The Federal Highway Administration will work to integrate consideration of these risks into its planning, operations, policies, and programs in order to promote preparedness and resilience; safeguard federal investments; and ensure the safety, reliability, and sustainability of the nation's transportation systems.

The Federal Highway Administration has developed guidance and tools for transportation planning that fosters resilience to climate effects and sustainability at the federal, state, and local levels.<sup>13</sup>

### State Efforts

On November 14, 2008, then-Governor Arnold Schwarzenegger signed Executive Order S-13-08, which directed a number of state agencies to address California's vulnerability to sea-level rise caused by climate change. This order set in motion several agencies and actions to address the concern

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<sup>10</sup> <https://obamawhitehouse.archives.gov/administration/eop/ceq/initiatives/resilience>

<sup>11</sup> <https://www.fhwa.dot.gov/environment/sustainability/resilience/>

<sup>12</sup> <https://www.fhwa.dot.gov/legisregs/directives/orders/5520.cfm>

<sup>13</sup> <https://www.fhwa.dot.gov/environment/sustainability/resilience/>

of sea-level rise and directed all state agencies planning to construct projects in areas vulnerable to future sea-level rise to consider a range of sea-level rise scenarios for the years 2050 and 2100, assess project vulnerability and, to the extent feasible, reduce expected risks and increase resiliency to sea-level rise. Sea-level rise estimates should also be used in conjunction with information on local uplift and subsidence, coastal erosion rates, predicted higher high water levels, and storm surge and storm wave data.

Then-Governor Schwarzenegger also requested the National Academy of Sciences to prepare an assessment report to recommend how California should plan for future sea-level rise. The final report, *Sea-Level Rise for the Coasts of California, Oregon, and Washington (Sea-Level Rise Assessment Report)*,<sup>14</sup> was released in June 2012 and included relative sea-level rise projections for the three states, taking into account coastal erosion rates, tidal impacts, El Niño and La Niña events, storm surge, and land subsidence rates, and the range of uncertainty in selected sea-level rise projections. It provided a synthesis of existing information on projected sea-level rise impacts to state infrastructure (such as roads, public facilities, and beaches), natural areas, and coastal and marine ecosystems, and a discussion of future research needs regarding sea-level rise.

In response to Executive Order S-13-08, the California Natural Resources Agency (Resources Agency), in coordination with local, regional, state, federal, and public and private entities, developed *The California Climate Adaptation Strategy* (Dec 2009),<sup>15</sup> which summarized the best available science on climate change impacts to California, assessed California's vulnerability to the identified impacts, and outlined solutions that can be implemented within and across state agencies to promote resiliency. The adaptation strategy was updated and rebranded in 2014 as *Safeguarding California: Reducing Climate Risk* (Safeguarding California Plan).

Governor Jerry Brown enhanced the overall adaptation planning effort by signing Executive Order B-30-15 in April 2015, requiring state agencies to factor climate change into all planning and investment decisions. In March 2016, sector-specific Implementation Action Plans that demonstrate how state agencies are implementing Executive Order B-30-15 were added to the Safeguarding California Plan. This effort represents a multi-agency, cross-sector approach to addressing adaptation to climate change-related events statewide.

Executive Order S-13-08 also gave rise to the *State of California Sea-Level Rise Interim Guidance Document* (SLR Guidance), produced by the Coastal and Ocean Working Group of the California Climate Action Team (CO-CAT),

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<sup>14</sup> *Sea Level Rise for the Coasts of California, Oregon, and Washington: Past, Present, and Future* (2012) is available at: [http://www.nap.edu/catalog.php?record\\_id=13389](http://www.nap.edu/catalog.php?record_id=13389).

<sup>15</sup> <http://www.climatechange.ca.gov/adaptation/strategy/index.html>

of which Caltrans is a member. First published in 2010, the document provided “guidance for incorporating sea-level rise (SLR) projections into planning and decision making for projects in California,” specifically, “information and recommendations to enhance consistency across agencies in their development of approaches to SLR.”<sup>16</sup>

Climate change adaptation for transportation infrastructure involves long-term planning and risk management to address vulnerabilities in the transportation system from increased precipitation, and flooding; the increased frequency and intensity of storms and wildfires; rising temperatures; and rising sea levels. Caltrans is actively engaged in working toward identifying these risks throughout the state and will work to incorporate this information into all planning and investment decisions as directed in Executive Order B-30-15.

The proposed project is outside the coastal zone and not in an area subject to sea-level rise. Accordingly, direct impacts to transportation facilities due to projected sea-level rise are not expected.

The current damage to the culvert is a result of high-velocity stormwater flows originating in the mountains and containing mud and debris that have scoured the concrete channel. More-frequent and intense storms are one anticipated result of climate change, and Caltrans expects District 6 to be vulnerable to the effects of such heavy rain events. New rebar and 6 inches of concrete will be used to repair the culvert floor, to restore culvert function and extend its lifetime even as climate conditions change.

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<sup>16</sup> <http://www.opc.ca.gov/2013/04/update-to-the-sea-level-rise-guidance-document/>

## Appendix B Title VI Policy Statement

STATE OF CALIFORNIA—CALIFORNIA STATE TRANSPORTATION AGENCY

EDMUND G. BROWN Jr., Governor

**DEPARTMENT OF TRANSPORTATION**

OFFICE OF THE DIRECTOR  
P.O. BOX 942873, MS-49  
SACRAMENTO, CA 94273-0001  
PHONE (916) 654-6130  
FAX (916) 653-5776  
TTY 711  
www.dot.ca.gov



*Making Conservation  
a California Way of Life.*

April 2018

**NON-DISCRIMINATION  
POLICY STATEMENT**

The California Department of Transportation, under Title VI of the Civil Rights Act of 1964, ensures *"No person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance."*

Related federal statutes and state law further those protections to include sex, disability, religion, sexual orientation, and age.

For information or guidance on how to file a complaint, please visit the following web page:  
[http://www.dot.ca.gov/hq/bep/title\\_vi/t6\\_violated.htm](http://www.dot.ca.gov/hq/bep/title_vi/t6_violated.htm).

To obtain this information in an alternate format such as Braille or in a language other than English, please contact the California Department of Transportation, Office of Business and Economic Opportunity, 1823 14<sup>th</sup> Street, MS-79, Sacramento, CA 95811. Telephone (916) 324-8379, TTY 711, email [Title.VI@dot.ca.gov](mailto:Title.VI@dot.ca.gov), or visit the website [www.dot.ca.gov](http://www.dot.ca.gov).

A handwritten signature in blue ink, appearing to read "Laurie Berman".

LAURIE BERMAN  
Director

*"Provide a safe, sustainable, integrated and efficient transportation system  
to enhance California's economy and livability"*



## **Appendix C      Avoidance, Minimization and/or Mitigation Summary**

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To ensure that all environmental measures identified in this document are executed at the appropriate times, the following mitigation program (as shown in the proposed Environmental Commitments Record which follows) would be implemented. During project design, avoidance, minimization, and/or mitigation measures would be incorporated into the project's final plans, specifications, and cost estimates, as appropriate. All permits would be obtained prior to implementation of the project. During construction, environmental and construction/engineering staff would ensure that the commitments contained in the Environmental Commitments Record are fulfilled. Following construction and appropriate phases of project delivery, long-term mitigation maintenance and monitoring would take place, as applicable. Because the Environmental Commitments Record at the end of this appendix is a draft, some fields have not been completed and would be filled in as each of the measures is implemented.

Note: Some measures may apply to more than one resource area. Duplicated or redundant measures have not been included in the Environmental Commitments Record.

### ***Hazardous Waste***

Standard Special Provisions would be included in the construction contract to address proper handling and worker safety issues to minimize exposure to potential lead hazards. Standard Special Provision 71.02K(6)(6)(iii), which addresses the need for a Lead Compliance Plan, is required, and the plan would be provided at a later date for inclusion in the construction package.

### ***Plant Species***

Preconstruction botanical surveys would be completed during the appropriate blooming seasons prior to ground-disturbing activities at all work sites where suitable habitat occurs. If sensitive plants are found, areas that can be avoided during construction would be protected as an environmentally sensitive area (ESA), clearly designated by orange fencing. The following mitigation measures would also be implemented where appropriate when avoidance is not possible:

Topsoil would be collected and salvaged from areas where any flowering populations within the work site are found.

Topsoil would be spread over areas temporarily impacted, within or as close to the original location as possible once work is completed.

Seed collection or transplantation of plants would be done if necessary.

### ***Endangered Species***

Any potential Tehachapi slender salamander habitat impacted by construction activities would be restored by revegetation with a native seed mix and replacement of any boulders or rocks that may serve as shelter.

Preconstruction species surveys, environmentally sensitive area fencing, and biological monitoring (where required) would avoid and minimize impacts to special-status species. If the Tehachapi slender salamander is found during preconstruction surveys, which is not currently anticipated, then consultation with California Department of Fish and Wildlife would be performed. Through this consultation, the Department would seek a 2081 Incidental Take Permit and compensatory mitigation would be required.

### ***Animal Species***

Avoidance and Minimization Measures and Standard Special Provisions (SSPs) are proposed to comply with the Migratory Bird Treaty Act by ensuring that project-related activities do not result in harmful impacts to nesting birds or their nests, eggs, and young. This may include one or more of the following actions, as appropriate: preconstruction surveys, biological monitoring during initial ground-disturbing activities, seasonal restrictions on the removal of suitable nest trees or brush, and the placement of environmentally sensitive area buffers around nests or burrows as required. These involve the following Standard Special Provisions:

Standard Special Provision 14-1.01 Environmental Stewardship, including Environmentally Sensitive Areas

Standard Special Provision 14-6.02 Species Protection (buffers, work stoppage areas)

Standard Special Provision 14-6.03 Bird Protection (nest protection buffers)

## Environmental Commitments Record for EA 06-0W160\_ / ID 0617000097

Last updated 12/7/2018

## Grapevine Culvert Repair

KER-005-7.500/9.000

Current Project Phase:

EP: Erica Sumner

559-445-6375

CL:

RE:

Permits									
Permit	Agency	Date Submitted	Date Received	Expiration	Requirements Completed Name	Task Completed Date	Comments		
1600	California Department of Fish & Wildlife								
No Consultation Required	n/a								
Commitments									
Task and Brief Description	Source	SSP/ NSSP	Responsible Staff	Action to Comply	Task Completed Name	Task Completed Date	Remarks/Due Date		
<b>PS&amp;E/Before RTL</b>									
<b>Hazardous Waste</b>									
7-1.02.		SSP	L. Spann	Provide a lead compliance plan.			Soil disturbance, no excess soil.		
<b>Pre-Construction</b>									
<b>Biology</b>									
Pre-construction surveys- Tehachapi Slender Salamander	NES		J. Fleener	Pre-construction surveys will be performed prior to ground disturbance in Tehachapi slender salamander habitat					
Suitable habitat delineation- Tehachapi Slender Salamander	NES		J. Fleener	Suitable habitat for Tehachapi slender salamander will be delineated and protected by ESA fencing					
<b>Construction</b>									
<b>Biology</b>									
Biological Monitoring-Tehachapi Slender Salamander	NES		J. Fleener	A biological monitor will be present for all construction activities in suitable Tehachapi slender salamander habitat					
SSP 14-1.01	SSP	SSP	J. Fleener	Environmental Stewardship,					

## Environmental Commitments Record for EA 06-0W160\_ / ID 0617000097

Last updated 12/7/2018

## Grapevine Culvert Repair

KER-005-7,500/9,000

Current Project Phase:

EP: Erica Sumner

559-445-6375

CL:

RE:

Task and Brief Description	Source	SSP/ NOSP	Responsible Staff	Action to Comply Including Environmentally Sensitive Areas (ESAs)	Task Completed Name	Task Completed Date	Remarks/Due Date
SSP 14-6.02	SSP	SSP	J. Fleener	Species Protection (buffers, work stoppage areas)			
SSP 14-6.03	SSP	SSP	J. Fleener	Bird Protection (nest protection buffers)			
Worker Environmental Awareness Training- Tehachapi Slender Salamander	NES		J. Fleener	Qualified bio will conduct environmental awareness trng program for Tehachapi Slender Salamander for all construction personnel			

## Appendix D USFWS Species List

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### United States Department of the Interior

FISH AND WILDLIFE SERVICE  
Sacramento Fish And Wildlife Office  
Federal Building  
2800 Cottage Way, Room W-2605  
Sacramento, CA 95825-1846  
Phone: (916) 414-6600 Fax: (916) 414-6713



In Reply Refer To:  
Consultation Code: 08ESMF00-2018-SLI-1439  
Event Code: 08ESMF00-2019-E-01987  
Project Name: Grapevine Concrete Boxes

December 20, 2018

Subject: Updated list of threatened and endangered species that may occur in your proposed project location, and/or may be affected by your proposed project

#### To Whom It May Concern:

The enclosed species list identifies threatened, endangered, proposed and candidate species, as well as proposed and final designated critical habitat, under the jurisdiction of the U.S. Fish and Wildlife Service (Service) that may occur within the boundary of your proposed project and/or may be affected by your proposed project. The species list fulfills the requirements of the Service under section 7(c) of the Endangered Species Act (Act) of 1973, as amended (16 U.S.C. 1531 *et seq.*).

Please follow the link below to see if your proposed project has the potential to affect other species or their habitats under the jurisdiction of the National Marine Fisheries Service:

[http://www.nwr.noaa.gov/protected\\_species/species\\_list/species\\_lists.html](http://www.nwr.noaa.gov/protected_species/species_list/species_lists.html)

New information based on updated surveys, changes in the abundance and distribution of species, changed habitat conditions, or other factors could change this list. Please feel free to contact us if you need more current information or assistance regarding the potential impacts to federally proposed, listed, and candidate species and federally designated and proposed critical habitat. Please note that under 50 CFR 402.12(e) of the regulations implementing section 7 of the Act, the accuracy of this species list should be verified after 90 days. This verification can be completed formally or informally as desired. The Service recommends that verification be completed by visiting the ECOS-IPaC website at regular intervals during project planning and implementation for updates to species lists and information. An updated list may be requested through the ECOS-IPaC system by completing the same process used to receive the enclosed list.

12/20/2018

Event Code 08ESMF00-2019-E-01987

2

The purpose of the Act is to provide a means whereby threatened and endangered species and the ecosystems upon which they depend may be conserved. Under sections 7(a)(1) and 7(a)(2) of the Act and its implementing regulations (50 CFR 402 *et seq.*), Federal agencies are required to utilize their authorities to carry out programs for the conservation of threatened and endangered species and to determine whether projects may affect threatened and endangered species and/or designated critical habitat.

A Biological Assessment is required for construction projects (or other undertakings having similar physical impacts) that are major Federal actions significantly affecting the quality of the human environment as defined in the National Environmental Policy Act (42 U.S.C. 4332(2)(c)). For projects other than major construction activities, the Service suggests that a biological evaluation similar to a Biological Assessment be prepared to determine whether the project may affect listed or proposed species and/or designated or proposed critical habitat. Recommended contents of a Biological Assessment are described at 50 CFR 402.12.

If a Federal agency determines, based on the Biological Assessment or biological evaluation, that listed species and/or designated critical habitat may be affected by the proposed project, the agency is required to consult with the Service pursuant to 50 CFR 402. In addition, the Service recommends that candidate species, proposed species and proposed critical habitat be addressed within the consultation. More information on the regulations and procedures for section 7 consultation, including the role of permit or license applicants, can be found in the "Endangered Species Consultation Handbook" at:

<http://www.fws.gov/endangered/esa-library/pdf/TOC-GLOS.PDF>

Please be aware that bald and golden eagles are protected under the Bald and Golden Eagle Protection Act (16 U.S.C. 668 *et seq.*), and projects affecting these species may require development of an eagle conservation plan ([http://www.fws.gov/windenergy/eagle\\_guidance.html](http://www.fws.gov/windenergy/eagle_guidance.html)). Additionally, wind energy projects should follow the wind energy guidelines (<http://www.fws.gov/windenergy/>) for minimizing impacts to migratory birds and bats.

Guidance for minimizing impacts to migratory birds for projects including communications towers (e.g., cellular, digital television, radio, and emergency broadcast) can be found at: <http://www.fws.gov/migratorybirds/CurrentBirdIssues/Hazards/towers/towers.htm>; <http://www.towerkill.com>; and <http://www.fws.gov/migratorybirds/CurrentBirdIssues/Hazards/towers/comtow.html>.

We appreciate your concern for threatened and endangered species. The Service encourages Federal agencies to include conservation of threatened and endangered species into their project planning to further the purposes of the Act. Please include the Consultation Tracking Number in the header of this letter with any request for consultation or correspondence about your project that you submit to our office.

12/20/2018

Event Code: 08ESMF00-2019-E-01987

3

Attachment(s):

- Official Species List

12/20/2018

Event Code: 08ESMF00-2019-E-01987

1

## Official Species List

This list is provided pursuant to Section 7 of the Endangered Species Act, and fulfills the requirement for Federal agencies to "request of the Secretary of the Interior information whether any species which is listed or proposed to be listed may be present in the area of a proposed action".

This species list is provided by:

**Sacramento Fish And Wildlife Office**  
Federal Building  
2800 Cottage Way, Room W-2605  
Sacramento, CA 95825-1846  
(916) 414-6600

12/20/2018

Event Code 08ESMF00-2019-E-01987

2

## Project Summary

Consultation Code: 08ESMF00-2018-SLI-1439

Event Code: 08ESMF00-2019-E-01987

Project Name: Grapevine Concrete Boxes

Project Type: TRANSPORTATION

**Project Description:** The project proposes to repair four reinforced concrete box culverts (RCBS) in Kern County along Route 5, at 4 locations from 238 miles north of the Fort Tejon Overcrossing (OC50-193) to 1.15 miles south of Grapevine Undercrossing (UC 50-194R). The work includes saw cutting existing reinforced concrete RCBC, lining the interior with steel, repairing/reconstructing wing walls, headwalls, etc., placing rock slope protections. The purpose of this project is to reduce future scour/erosion in and around the RCBC. See Figure 1 and Figure 2. The project intersects the following townships and ranges: T10N R19W and T9N R19W. The U.S. Geological Survey 7.5-minute quadrangle associated with this project is Grapevine.

### Project Location:

Approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/place/34.911673531065865N118.92338853622215W>



Counties: Kern, CA

12/20/2018

Event Code: 08ESMF00-2019-E-01987

3

## Endangered Species Act Species

There is a total of 6 threatened, endangered, or candidate species on this species list.

Species on this list should be considered in an effects analysis for your project and could include species that exist in another geographic area. For example, certain fish may appear on the species list because a project could affect downstream species.

IPaC does not display listed species or critical habitats under the sole jurisdiction of NOAA Fisheries<sup>1</sup>, as USFWS does not have the authority to speak on behalf of NOAA and the Department of Commerce.

See the "Critical habitats" section below for those critical habitats that lie wholly or partially within your project area under this office's jurisdiction. Please contact the designated FWS office if you have questions.

- 
1. [NOAA Fisheries](#), also known as the National Marine Fisheries Service (NMFS), is an office of the National Oceanic and Atmospheric Administration within the Department of Commerce.

## Mammals

NAME	STATUS
San Joaquin Kit Fox <i>Vulpes macrotis mutica</i> No critical habitat has been designated for this species. Species profile: <a href="https://ecos.fws.gov/ecp/species/2873">https://ecos.fws.gov/ecp/species/2873</a>	Endangered
Tipton Kangaroo Rat <i>Dipodomys nitratoide nitratoide</i> No critical habitat has been designated for this species. Species profile: <a href="https://ecos.fws.gov/ecp/species/7247">https://ecos.fws.gov/ecp/species/7247</a> Species survey guidelines: <a href="https://ecos.fws.gov/ipac/guideline/survey/population/40/office/11420.pdf">https://ecos.fws.gov/ipac/guideline/survey/population/40/office/11420.pdf</a>	Endangered

## Birds

NAME	STATUS
California Condor <i>Gymnogyps californianus</i> Population: U.S.A. only, except where listed as an experimental population There is <b>final</b> critical habitat for this species. Your location overlaps the critical habitat. Species profile: <a href="https://ecos.fws.gov/ecp/species/8193">https://ecos.fws.gov/ecp/species/8193</a>	Endangered

12/20/2018

Event Code 08ESMF00-2019-E-01987

4

**Reptiles**

NAME	STATUS
Blunt-nosed Leopard Lizard <i>Gambelia silus</i> No critical habitat has been designated for this species. Species profile: <a href="https://ecos.fws.gov/ecp/species/625">https://ecos.fws.gov/ecp/species/625</a>	Endangered

**Amphibians**

NAME	STATUS
California Red-legged Frog <i>Rana draytonii</i> There is <b>final</b> critical habitat for this species. Your location is outside the critical habitat. Species profile: <a href="https://ecos.fws.gov/ecp/species/2891">https://ecos.fws.gov/ecp/species/2891</a>	Threatened

**Crustaceans**

NAME	STATUS
Vernal Pool Fairy Shrimp <i>Branchinecta lynchi</i> There is <b>final</b> critical habitat for this species. Your location is outside the critical habitat. Species profile: <a href="https://ecos.fws.gov/ecp/species/498">https://ecos.fws.gov/ecp/species/498</a>	Threatened

**Critical habitats**

There is 1 critical habitat wholly or partially within your project area under this office's jurisdiction.

NAME	STATUS
California Condor <i>Gymnogyps californianus</i> <a href="https://ecos.fws.gov/ecp/species/8193#crithab">https://ecos.fws.gov/ecp/species/8193#crithab</a>	Final



# Appendix E CNPS Species List

12/20/2018

CNPS Inventory Results



Inventory of Rare and Endangered Plants





## Plant List

7 matches found. [Click on scientific name for details](#)

### Search Criteria

Found in Quad 3411888

[Modify Search Criteria](#) [Export to Excel](#) [Modify Columns](#) [Modify Sort](#) [Remove Photos](#)

Scientific Name	Common Name	Family	Lifeform	Blooming Period	CA Rare Plant Rank	State Rank	Global Rank	State Listing Status	Federal Listing Status	Photo
<a href="#">Astragalus hornii var. hornii</a>	Horn's milk-vetch	Fabaceae	annual herb	May-Oct	1B.1	S1	G4G5T1T2			
										2013 Neal Kramer
<a href="#">Cryptantha tumulosa</a>	New York Mountains cryptantha	Boraginaceae	perennial herb	Apr-Jun	4.3	S4	G4			
										2006 Heath McAllister
<a href="#">Delphinium parryi ssp. purpureum</a>	Mt. Pinos larkspur	Ranunculaceae	perennial herb	May-Jun	4.3	S4	G4T4			
										2008 Dr. Lloyd G. Simpson
<a href="#">Diplacus pictus</a>	calico monkeyflower	Phymaceae	annual herb	Mar-May	1B.2	S2	G2			
										2001 Steve Schoenig
<a href="#">Eschscholzia lemmonii</a>	Tejon poppy	Papaveraceae	annual herb	(Feb)Mar-May	1B.1	S2	G5T2			

<http://rareplants.cnps.org/result.html?adv=t&quad=3411888#cdisp=1,2,3,4,5,6,7,8,9,10,15>

1/2

12/20/2018

CNPS Inventory Results

ssp.  
kernensis



2011 Neal Kramer

Navarretia  
setiloba

Piute  
Mountains  
navarretia

Polemoniaceae

annual  
herb

Apr-Jul

1B.1 S2 G2



2008 Korey Klutz

Opuntia  
basilaris var.  
treleasei

Bakersfield  
cactus

Cactaceae

perennial  
stem  
succulent

Apr-May

1B.1 S1 G5T1

CE FE



2010 Neal Kramer

#### Suggested Citation

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#### Questions and Comments

[rareplants@cnps.org](mailto:rareplants@cnps.org)

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## **List of Technical Studies**

Air Quality Report

Noise Study Report

Water Quality Report

Natural Environment Study

Cultural Resources Compliance Memo

Hazardous Waste Report

Paleontological Identification Report