

SBD-138 Construct Median and Standard Shoulders

SAN BERNARDINO COUNTY, CALIFORNIA

DISTRICT 08-SBD-138 (PM 0-2.3)

LOS ANGELES COUNTY, CALIFORNIA

DISTRICT 07-LA-138 (PM 74.9)

EA 08-1H830 PN 0817000139

Initial Study with Mitigated Negative Declaration



Prepared by the
State of California Department of Transportation
August 2020



General Information About This Document

What's in this document:

The California Department of Transportation (Caltrans) has prepared this Initial Study, which examines the potential environmental impacts of alternatives being considered for the proposed project near Pinon Hills and Phelan, California. The document describes the project, the existing environment that could be affected by the project, potential impacts from the project, and proposed avoidance, minimization, and/or mitigation measures. The Initial Study circulated to the public for 30 days between June 15, 2020 to July 15, 2020. Comments received during this period are included in Chapter 4. Elsewhere throughout this document, a vertical line in the margin indicates a change made since the draft document circulation. Minor editorial changes and clarifications have not been so indicated. Additional copies of this document and the related technical studies are available for review at Caltrans, District 8, 464 W. 4th Street, San Bernardino, CA.

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 call or write to Caltrans, Attn: Shawn Oriaz, Senior Environmental Planner, 464 W. 4th Street, MS 827, San Bernardino, CA 92401 (909) 388-7034; or call the California Relay Service 1 (800) 735-2929 (TTY), 1 (800) 735-2929 (Voice), or 711.

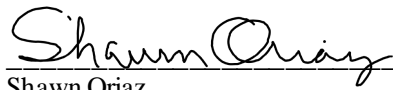
PROJECT DESCRIPTION AND BACKGROUND:

Project Title: SBD 138 Construct 4' Median and Standard Shoulders
Lead Agency Name and Address: California Department of Transportation District 8, 464 W. 4th Street, San Bernardino, CA 92401
Contact Person and Telephone Number: Shawn Oriaz (909)388-7034
Project Location: SBD 138
Project Sponsor's Name and Address: California Department of Transportation District 8, 464 W. 4th Street, San Bernardino, CA 92401
General Plan Description: N/A
Zoning: N/A
Description of Project: Add a 4 foot median buffer; install median and shoulder rumble strips; extend 12 existing culverts and replace 6 culverts on State Route 138 (SR-138) to improve safety. The project will begin 430 feet west of Los Angeles County Post Mile (PM) 74.9 / San Bernardino County Line to 0.6 miles west of Phelan Road at PM 2.3 in San Bernardino County.
Surrounding Land Uses and Setting: The proposed project is located on SR-138 in San Bernardino County. The immediate land use is rural. There are some residential and commercial properties in the area.
Other Public Agencies Whose Approval is Required: California Department of Fish and Wildlife, Regional Water Quality Control Board, US Army Corp of Engineers, and US Fish and Wildlife

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

The environmental factors checked below would be potentially affected by this project. Please see the CEQA checklist for additional information. Any boxes not checked represent issues that were considered as part of the scoping and environmental analysis for the project, but for which no adverse impacts were identified; therefore, no further discussion of those issues is in this document.

<input checked="" type="checkbox"/> Aesthetics	<input type="checkbox"/> Agriculture and Forestry	<input type="checkbox"/> Air Quality
<input checked="" type="checkbox"/> Biological Resources	<input type="checkbox"/> Cultural Resources	<input type="checkbox"/> Geology/Soils
<input checked="" type="checkbox"/> Greenhouse Gas Emissions	<input type="checkbox"/> Hazards and Hazardous Materials	<input checked="" type="checkbox"/> Hydrology/Water Quality
<input type="checkbox"/> Land Use/Planning	<input type="checkbox"/> Mineral Resources	<input type="checkbox"/> Noise
<input type="checkbox"/> Paleontology	<input type="checkbox"/> Population/Housing	<input type="checkbox"/> Public Services
<input type="checkbox"/> Recreation	<input type="checkbox"/> Transportation/Traffic	<input type="checkbox"/> Utilities/Service Systems
<input type="checkbox"/> Mandatory Findings of Significance		


Shawn Oriaz
Senior Environmental Planner
District 8, Division of Environmental Planning
California Department of Transportation

08/07/2020
Date

Mitigated Negative Declaration

Pursuant to: Division 13, Public Resources Code

Project Description

The California Department of Transportation (Caltrans) plans to add a 4-foot buffer in the median; install median and shoulder rumble strips; and extend 12 existing culverts and replace 6 culverts on State Route 138 (SR-138) to improve highway safety. For the addition of the median buffer, only the south side of the roadway will be widened. Rumble strips will be installed on both shoulders (north and south side of the roadway) and on the median buffer. The project will begin 430 feet west of Los Angeles County Line at Post Mile (PM) 74.9 / San Bernardino County Line to 0.6 miles west of Phelan Road at PM 2.3 in San Bernardino County.

Determination

Caltrans has prepared an Initial Study for this project and, following public review, has determined 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: agriculture and forestry resources, air quality, cultural resources, energy, geology and soils, hazards and hazardous materials, land use and planning, mineral resources, noise, paleontology, population and housing, recreation, traffic and transportation, tribal cultural resources, utilities and service systems, public services, and wildfires.

In addition, the proposed project would have no significant effect on aesthetics, biological resources, greenhouse gas emissions, and hydrology and water quality because the following mitigation measures would reduce potential effects to insignificance.

Compensatory Mitigation

The project will require mitigation to comply with the California Department of Fish and Wildlife (CDFW) “no net loss policy.” Pursuant to Section 1600 of the Fish and Game Code, a Lake and Streambed Alteration Agreement would be required from CDFW. The project area occurs in the Lahontan Regional Water Quality Control Board (RWQCB) (Region 6). Under Section 401 of the Clean Water Act, the RWQCB must certify that the discharge of dredged or fill material into Waters of the U.S. does not violate state water quality standards. Compensatory mitigation required by the RWQCB and/or CDFW will be determined in coordination with CDFW and RWQCB during the 1602 and 401 permitting process.

With the implementation of the avoidance and minimization measures, the project will not directly impact desert tortoise. Permanent impacts to desert tortoise will be mitigated through the payment of \$105 per acre of impact to the National Fish and Wildlife Foundation Raven Fund.

To avoid and minimize impacts to State Species of Special Concern and federally- and state-listed species, the project will implement the following measures:

BIO-1 Biological Monitor: A qualified contractor-supplied biologist will be designated to oversee compliance of all protective measures and will monitor all construction-related activities. The biological

monitor will notify the resident engineer of project activities that may not be in compliance. The resident engineer will stop work until the protective measures are implemented fully.

BIO-2 Worker Environmental Awareness Training: A qualified contractor-supplied biologist will create and present an education program prior to the onset of ground-disturbing activities to all onsite personnel who will be in the project limits for longer than 30 minutes. At a minimum, the program will include the following: distribution, general behavior, and ecology of the desert tortoise, Mohave ground squirrel, nesting birds, and other sensitive species that have the potential to occur within the project limits, sensitivity of the species to human activities, legal protection afforded to these species, penalties for violations of Federal and State laws, notification procedures by workers or contractors if a tortoise or other sensitive species is found in a construction area, and project features designed to reduce the impacts to these species and promote continued successful occupation of the project area. Instruct project personnel to attach surveyor flagging tape to a conspicuous place on each piece of equipment to remind the operator to check under the equipment for desert tortoises before operating equipment during the next shift. Handout materials will be distributed for workers and will be posted at all construction field offices and on all information boards.

BIO-3 Equipment Staging: Equipment, vehicles, and materials staged and stored in Caltrans right-of-way will be sited in previously paved or previously disturbed areas only and will avoid native vegetation. Approval of additional staging areas will require the Caltrans Biologist to analyze project impacts and provide authorization for additional staging areas.

BIO-4 Rare Plant / Host Plant Pre-Construction Clearance Survey, Flagging, and Fencing: No more than one week prior to ground breaking activities, a qualified biologist must perform a pre-construction survey for rare plant species and rare insect host plants. Should any rare plants or rare insect host plants be found, the Resident Engineer and Caltrans Environmental Stewardship and Biological Monitoring branch will be contacted, and individuals will be flagged by the qualified biologist for clear identification to ensure they are visible to construction personnel for avoidance. Should multiple plants in a single location be found, the groupings will be fenced with environmentally sensitive area temporary fencing.

BIO-5 Rare Plant Translocation: If a special status plant species that cannot simply be fenced and can survive transplantation is found within the work area, the authorized contractor-supplied biologist will contact the Caltrans Environmental Stewardship and Biological Monitoring branch to determine the time and suitable translocation area for the plant species to be moved. Additional requirements and actions will be determined at the time in which a situation occurs.

BIO-6 Pre-Construction Clearance/ Nesting Bird Survey: If construction occurs within the bird nesting season (February 1 to September 30), then pre-construction surveys will be conducted by a qualified biologist to locate nesting birds within 72 hours prior to construction. If an active nest is located, a 300-foot no-construction buffer (500-foot buffer for raptors) will be put in place until nesting has ceased or the young have fledged.

BIO-7 Pre-Construction Desert Tortoise Survey: Immediately prior to the start of ground disturbing activities (vegetation clearing and grading), and prior to the installation of any desert tortoise exclusion fencing, clearance surveys for the desert tortoise will be conducted by the contractor-supplied biologist. The entire project area will be surveyed for desert tortoise and their burrows by the contractor-supplied biologist prior to the start of any ground-disturbing activities.

BIO-8 Temporary Desert Tortoise Fencing: Temporary exclusion fencing will be installed outlining the perimeter of any construction staging, storage, or batch plant areas to prevent entry by desert tortoises into the work site. Exclusion fencing will be installed following U.S. Fish and Wildlife Service guidelines (2017) or more current protocol. The contractor-supplied biologist must be present during the installation and removal of temporary desert tortoise fence and regularly monitor the fencing during construction to ensure that desert tortoises cannot pass under, over, or around the fence. The contractor-supplied biologist must ask the Contractor/Engineer to repair damaged areas of the fence.

BIO-9 Desert Tortoise Under Vehicles and/or Equipment: The contractor-supplied biologist and project personnel shall carefully check under parked vehicles and equipment for desert tortoises before any of the vehicles or equipment can be moved.

BIO-10 Desert Tortoise in Work Area: If at any time a desert tortoise is observed in the project area or within 500 feet of the project area, the contractor-supplied biologist will contact the Resident Engineer and the Caltrans Environmental Stewardship and Biological Monitoring branch. Desert tortoises cannot be handled or harassed and must leave the job site under their own accord. Activities may not resume until appropriate authorization is given by CDFW and USFWS to continue the project.

BIO-11 Injured or Dead Desert Tortoise: The contractor-supplied biologist will inform the Resident Engineer and Caltrans Environmental Stewardship and Biological Monitoring branch of any injured or dead desert tortoises (and other special status species) found on the job site or within 500 ft of the job site (verbal notification within 24 hours and written notification within 5 days).

BIO-12 Desert Tortoise Monitoring Reports: The contractor-supplied biologist will conduct regular on-site monitoring and submit a weekly monitoring report for desert tortoises (and additional special status species) during construction.

BIO-13 Speed Limits in Desert Tortoise Habitat: Except on maintained public roads designated for higher speeds or within desert tortoise-proof fenced areas, driving speeds will not exceed 20 miles per hour through potential desert tortoise habitat on unpaved roads.

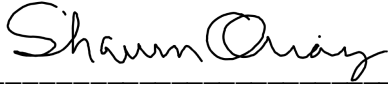
BIO-14 Desert Tortoise Predation Prevention: To preclude attracting predators, such as the common raven (*Corvus corax*) and coyotes (*Canis latrans*), food-related trash items will be placed in covered refuse cans and removed daily from the work sites and disposed of at an appropriate refuse disposal site. Workers are prohibited from feeding any and all wildlife.

BIO-15 Pre-Construction Survey and Monitoring by a Qualified Mohave Ground Squirrel and Pallid San Diego Pocket Mouse Biologist: Prior to the commencement of ground-disturbing activities, a contractor-supplied biologist knowledgeable and experienced in the biology and natural history of the Mohave ground squirrel and pallid San Diego pocket mouse will conduct a preconstruction survey for Mohave ground squirrel and pallid San Diego pocket mouse. This biologist will also be assigned to monitor construction activities and implement avoidance and minimization measures to avoid the take of individual animals and to minimize habitat disturbance.

TRF-1, a traffic management plan would be implemented to minimize traffic delays and associated idling emissions during construction.

TRF-2, a traffic management plan would be prepared and coordinated with the local emergency responders.

WQ-1 The project would include the use of permanent treatment BMPs to mitigate pollutants from storm water runoff.



Shawn Oriaz
Senior Environmental Planner
District 8, Division of Environmental Planning
California Department of Transportation

08/07/2020

Date

Table of Contents

Chapter 1 Proposed Project	1
1.1 Introduction	1
1.2 Purpose and Need	1
1.3 Alternatives	4
1.3.1 Build Alternative	4
1.3.2 No Build Alternative	4
1.4 Permits and Approvals	4
Chapter 2 CEQA Environmental Checklist	5
2.1 Aesthetics	5
2.2 Agriculture and Forest Resources	7
2.3 Air Quality	9
2.4 Biological Resources	12
2.5 Cultural Resources	24
2.6 Energy	26
2.7 Geology and Soils	27
2.8 Greenhouse Gas Emissions	29
2.9 Hazards and Hazardous Materials	30
2.10 Hydrology and Water Quality	33
2.11 Land Use and Planning	39
2.12 Mineral Resources	40
2.13 Noise	41
2.14 Population and Housing	43
2.15 Public Services	44
2.16 Recreation	46
2.17 Transportation/Traffic	47
2.18 Tribal Cultural Resources	49
2.19 Utilities and Service Systems	50
2.20 Wildfires	52
2.21 Mandatory Findings of Significance	53
Chapter 3 Climate Change	54
Regulatory Setting	54
Environmental Setting	57
Project Analysis	60
Chapter 4 Comments and Coordination	70
Chapter 5 List of Preparers	74
Chapter 6 Distribution List	75
Appendix A Title VI Policy Statement	77
Appendix B Avoidance, Minimization and/or Mitigation Summary	78
Appendix C Newspaper Ads and State Clearinghouse	79
Appendix D List of Technical Studies	81

Chapter 1 Proposed Project

1.1 Introduction

The California Department of Transportation (Caltrans) plans to add a 4-foot median buffer; install median and shoulder rumble strips; and extend 12 existing culverts and replace 6 culverts on State Route 138 (SR-138) near Pinon Hills and Phelan to improve highway safety. For the addition of the median buffer, only the south side of the roadway will be widened. Rumble strips will be installed on both shoulders (north and south side of the roadway) and on the median buffer. The project will begin 430 feet west of Los Angeles County Line at Post Mile (PM) 74.9 / San Bernardino County Line to 0.6 miles west of Phelan Road at PM 2.3 in San Bernardino County.

This project is included in the 2018 SHOPP program (State Highway Operation and Protection Program) under the Safety Improvements Collision Reduction Program Code 201.122 /HA-22 Program for delivery in the 2021/2022 Fiscal Year.

1.2 Purpose and Need

1.2.1 Purpose

The purpose of the proposed project is to improve the safety and reduce the number and severity of cross-centerline and run-off-roadway collisions on State Route 138 within the project limits.

1.2.2 Need

This segment of SR-138 is experiencing a higher than average accident rate.



Figure 1-1 Project Vicinity

This page is intentionally blank.

1.3 Alternatives

This section describes the project alternatives that were studied. The alternatives are the Build Alternative and the No-Build Alternative.

1.3.1 Build Alternative

The proposed facility will consist of one 12-foot lane in each direction, an 8-foot outside shoulder with rumble strips, and a 4-foot median with rumble strips from 430 feet west of the Los Angeles County Line / San Bernardino County Line to 0.6 miles west of Phelan Road of SR-138 in San Bernardino County.

It is proposed to add a median buffer and rumble strips to improve safety. For the addition of the median buffer, only the south side of the roadway will be widened. Rumble strips will be installed on both shoulders (north and south side of the roadway) and on the median buffer.

All construction work would be restricted to existing state right-of-way (ROW). No new ROW, including temporary construction easements, is expected to be needed for the build alternative. Utility relocations will be further discussed during the final design phase.

1.3.2 No Build Alternative

Under the No Build Alternative, the existing facility would remain in its current condition. No improvement to the safety of the traveling public would be constructed. This alternative would not satisfy the purpose and need.

1.4 Permits and Approvals

Table 1. Permits and Approvals

Agency	Permits	Status
California Department of Fish & Wildlife (CDFW)	Section 1602 Streambed Alteration Agreement	Application for the 1602 Agreement will occur during the Final Design phase of the project. The project will not proceed to construction before receiving the 1602 Agreement.
Regional Water Quality Control Board (RWQCB)	Report of Waste Discharge	Application for the Report of Waste Discharge will occur during the Final Design phase of the project. The project will not proceed to construction before receiving the Report
US Army Corps of Engineers (USACE)	Approved Jurisdictional Determination	The Jurisdictional Determination will be approved during the Final Design phase of the project. The project will not proceed to construction before approval.
US Fish and Wildlife Service (USFWS)	Programmatic Biological Opinion	The Programmatic Biological Opinion has received concurrence from the USFWS.

Chapter 2 CEQA Environmental Checklist

08-SBd-138 / 07-LA-138

0.0 / 2.3 & 74.9

0817000139

Dist.-Co.-Rte.

P.M/P.M.

Project ID#

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 will indicate no impacts. A NO IMPACT answer in the last column reflects this determination. Where a clarifying discussion is needed, the discussion either follows the applicable section in the checklist or is placed 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.

2.1 Aesthetics

	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
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 checked="" type="checkbox"/>	<input type="checkbox"/>
c) Substantially degrade the existing visual character or quality of the site and its surroundings?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input 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"/>

Regulatory Setting

The California Environmental Quality Act (CEQA) establishes that it is the policy of the state to take all action necessary to provide the people of the state "with...enjoyment of *aesthetic*, natural, scenic and historic environmental qualities" (CA Public Resources Code [PRC] Section 21001[b]).

CEQA Significance Determinations for Aesthetics

a) No Impact: The proposed project would not have a substantial adverse effect on a scenic vista. Visual character and scenic resources along State Route 138 would be kept.

b) Less Than Significant Impact: SR-138 is not designated as a scenic highway. Joshua Trees would be transplanted within the project. Utah Junipers in conflict with the proposed work would be replaced at a ration determined by the District Landscape Architect in the Design phase to justify the loss of vegetation. Therefore, the impact would be less than significant.

c) Less Than Significant Impact: The proposed project was assessed to have a low effect on the visual setting. Further options to minimize adverse impacts would be discussed in the Design phase. Impacts would be less than significant.

d) No Impact: The project would not create a new source of substantial light or glare which would adversely affect day or nighttime views in the area. There would be no impact.

Avoidance, Minimization, and/or Mitigation Measures

No avoidance, minimization, or mitigation measures are required for aesthetics.

2.2. Agriculture and Forest Resources

Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
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"/>
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"/>

Regulatory Setting

The California Environmental Quality Act (CEQA) requires the review of projects that would convert Williamson Act contract land to non-agricultural uses. The main purposes of the Williamson Act are to preserve agricultural land and to encourage open space preservation and efficient urban growth. The Williamson Act provides incentives to landowners through reduced property taxes to discourage the early conversion of agricultural and open space lands to other uses.

CEQA Significance Determinations for Agriculture and Forest Resources

a) No Impact: According to the California Department of Conservation's Farmland Mapping and Monitoring Program, the project area falls within land designated as Grazing Land and Other Land. The project area is not considered to be Prime Farmland, Unique Farmland, or Farmland of Statewide Importance. There would be no impact.

b) No Impact: There are no areas within the study area under a Williamson Act contract. Therefore, there would be no impact.

c) No Impact: There are no forest lands, timberlands, or timberland production areas adjacent to or within the project sites. The proposed project would not conflict with existing zoning for, or cause rezoning of, forest land, timberland, or timberland zoned Timberland Production. The proposed project would have no impact.

d) No Impact: The proposed project would not result in the loss or conversion of forest land. There would be no impact.

e) No Impact: There are no forest lands, timberlands, or agricultural lands within or adjacent to the project sites. The proposed project would not involve changes that would result in the conversion of farmland to non-agricultural use or forest land to non-forest use. There would be no impact.

Avoidance, Minimization, and/or Mitigation Measures

No avoidance, minimization, or mitigation measures are required for agricultural and forest resources.

2.3 Air Quality

	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
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:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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"/>

Regulatory Setting

The Federal Clean Air Act (FCAA), as amended, is the primary federal law that governs air quality while the California Clean Air Act (CCAA) is its companion state law. These laws, and related regulations by the United States Environmental Protection Agency (U.S. EPA) and the California Air Resources Board (ARB), set standards for the concentration of pollutants in the air. At the federal level, these standards are called National Ambient Air Quality Standards (NAAQS). NAAQS and state ambient air quality standards have been established for six transportation-related criteria pollutants that have been linked to potential health concerns: carbon monoxide (CO), nitrogen dioxide (NO₂), ozone (O₃), particulate matter (PM)—which is broken down for regulatory purposes into particles of 10 micrometers or smaller (PM₁₀) and particles of 2.5 micrometers and smaller (PM_{2.5})—and sulfur dioxide (SO₂). In addition, national and state standards exist for lead (Pb), and state standards exist for visibility reducing particles, sulfates, hydrogen sulfide (H₂S), and vinyl chloride. The NAAQS and state standards are set at levels that protect public health with a margin of safety, and are subject to periodic review and revision. Both state and federal regulatory schemes also cover toxic air contaminants (air toxics); some criteria pollutants are also air toxics or may include certain air toxics in their general definition.

CEQA Significance Determinations for Air Quality

a) No Impact: The proposed project is located in the western portion of the Mojave Desert Air Basin (MDAB). The Mojave Desert Air Quality Management District (MDAQMD) has jurisdiction over the project area and is responsible for bringing the Basin into attainment for federal and state air quality standards. To achieve this goal, MDAQMD prepares plans for the attainment of air quality standards, as well as maintenance of those standards once achieved. This project is not a capacity-increasing transportation project. It will have no impact on traffic volumes and would generate a less than significant amount of pollutants during construction due to the very short duration of project construction. Therefore, the proposed project will not conflict with the AQMP, violate any air quality standard, result in a net increase of any criteria pollutant, or expose sensitive receptors to substantial pollutant concentrations. There would be no impact and mitigation is not required.

The proposed project is included in the 2019 Federal Transportation Improvement Program (FTIP) from the *2019 Grouped Project Detailed Backup Listings* on the Southern California Associated of Governments (SCAG) website. The project is part of the State Highway Operation and Protection Program (SHOPP) under “SBDLS01 Exempt Grouped Project for Safety Improvements – SHOPP Collision Reduction Program – 2020 SHOPP Carryover from 2018 SHOPP. Funding/scope change per SHOPP Amend #18H-017 approved by CTC May 13-14, 2020,” as follows:

“Near Pinon Hills, from Los Angeles County line to 0.6 mile west of Phelan Road; also in Los Angeles County, from 0.1 mile west of the San Bernardino County line to the San Bernardino County line (PM 74.90/74.973). Widen roadway to provide up to 4 foot median, widen shoulders, and construct rumble strips. Plans, Specifications, and Estimates (PS&E) and Right of Way Support Only.”

As such, the proposed project would have no impacts.

b) No Impact: The project is listed under Type 1, Carbon Monoxide (CO) Protocol. Therefore, it is exempt from air emissions analyses. Since the project would not increase the number of travel lanes on SR-138, no increase in vehicle miles traveled (VMT) would occur as result of project implementation, and traffic volumes would be the same under the Build Alternative and No-Build Alternative. Therefore, the proposed project would not increase roadway capacity on the route and would not increase emissions of criteria pollutants and their precursors following the construction period. No operation impacts related to violation of air quality standards would occur.

c) No Impact: As discussed above, project construction would generate criteria pollutants and their precursors. However, such emissions would be short term and transitory, and fugitive dust would be limited. No net increase in operational emissions would occur, traffic volumes would be the same under the Build Alternative and No-Build Alternative. The project would result in short-term

generation of emissions, but no increases would occur for project operation and no impacts related to a cumulatively considerable net increase of any criteria pollutant.

d) No Impact: No impacts related to exposure of sensitive receptors to substantial pollutant concentration would occur. California Air Resources Board (CARB) characterizes sensitive land uses as simply as possible by using the example of residences, playgrounds, and medical facilities. However, there are none of these sensitive receptors in the nearby vicinities¹. There would be no impact.

e) No Impact: According to the ARB, land uses associated with odor complaints typically include agricultural uses, wastewater treatment plants, food processing plants, chemical plants, composting areas, refineries, landfills, dairies, and fiberglass molding facilities. Because the project would not include any of these types of uses, and no sensitive land uses are located along the alignment, no impacts would occur.

Avoidance, Minimization, and/or Mitigation Measures

No avoidance, minimization, or mitigation measures are required for agricultural and forest resources.

¹ California Environment Protection Agency, California Air Resources Board, Air Quality and Land Use Handbook: A Community Health Perspective (2005), Page 2.
www.arb.ca.gov/ch/landuse.htm

2.4 Biological Resources

BIOLOGICAL RESOURCES: Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
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 Wildlife 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 Wildlife or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input 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 type="checkbox"/>	<input checked="" 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 checked="" type="checkbox"/>	<input 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"/>

WETLANDS AND OTHER WATERS

Regulatory Setting

Wetlands and other waters are protected under a number of laws and regulations. At the federal level, the Federal Water Pollution Control Act, more commonly referred to as the Clean Water Act (CWA) (33 United States Code [USC] 1344), is the primary law regulating wetlands and surface waters. One purpose of the CWA is to regulate the discharge of dredged or fill material into waters of the U.S., including wetlands. Waters of the U.S. include navigable waters, interstate waters, territorial seas, and other waters that may be used in interstate or foreign commerce. The lateral limits of jurisdiction over non-tidal water bodies extend to the ordinary high water mark (OHWM), in the absence of adjacent wetlands. When adjacent wetlands are present, CWA jurisdiction extends beyond the OHWM to the limits of the adjacent wetlands. To classify wetlands for the purposes of the CWA, a three-parameter approach is used that includes the presence of hydrophytic (water-loving) vegetation, wetland hydrology, and hydric soils (soils formed during saturation/inundation). All three parameters must be present, under normal circumstances, for an area to be designated as a jurisdictional wetland under the CWA.

Section 404 of the CWA establishes a regulatory program that provides that discharge of dredged or fill material cannot be permitted if a practicable alternative exists that is less damaging to the aquatic environment or if the nation's waters would be significantly degraded. The Section 404 permit program is run by the U.S. Army Corps of Engineers (USACE) with oversight by the U.S. Environmental Protection Agency (U.S. EPA).

The USACE issues two types of 404 permits: General and Individual. There are two types of General permits: Regional and Nationwide. Regional permits are issued for a general category of activities when they are similar in nature and cause minimal environmental effect. Nationwide permits are issued to allow a variety of minor project activities with no more than minimal effects.

Ordinarily, projects that do not meet the criteria for a Regional or Nationwide Permit may be permitted under one of USACE's Individual permits. There are two types of Individual permits: Standard permits and Letters of Permission. For Individual permits, the USACE decision to approve is based on compliance with U.S. EPA's Section 404(b)(1) Guidelines (40 Code of Federal Regulations [CFR] 230), and whether permit approval is in the public interest. The Section 404 (b)(1) Guidelines (Guidelines) were developed by the U.S. EPA in conjunction with the USACE, and allow the discharge of dredged or fill material into the aquatic system (waters of the U.S.) only if there is no practicable alternative which would have less adverse effects. The Guidelines state that the USACE may not issue a permit if there is a "least environmentally damaging practicable alternative" (LEDPA) to the proposed discharge that would have lesser effects on waters of the U.S., and not have any other significant adverse environmental consequences.

The Executive Order for the Protection of Wetlands (EO 11990) also regulates the activities of federal agencies with regard to wetlands. Essentially, EO 11990 states that a federal agency, such as FHWA and/or the Department, as assigned, cannot undertake or provide assistance for new construction located in wetlands unless the head of the agency finds: (1) that there is no practicable alternative to the construction and (2) the proposed project includes all practicable measures to minimize harm. A Wetlands Only Practicable Alternative Finding must be made.

At the state level, wetlands and waters are regulated primarily by the State Water Resources Control Board (SWRCB), the Regional Water Quality Control Boards (RWQCBs) and the California Department of Fish and Wildlife (CDFW). In certain circumstances, the Coastal Commission (or Bay Conservation and Development Commission or the Tahoe Regional Planning Agency) may also be involved. Sections 1600-1607 of the California Fish and Game Code require any agency that proposes a project that will substantially divert or obstruct the natural flow of or substantially change the bed or bank of a river, stream, or lake to notify CDFW before beginning construction. If CDFW determines that the project may substantially and adversely affect fish or wildlife resources, a Lake or Streambed Alteration Agreement will be required. CDFW jurisdictional limits are usually defined by the tops of the stream or lake banks, or the outer edge of riparian

vegetation, whichever is wider. Wetlands under jurisdiction of the USACE may or may not be included in the area covered by a Streambed Alteration Agreement obtained from the CDFW.

The RWQCBs were established under the Porter-Cologne Water Quality Control Act to oversee water quality. Discharges under the Porter-Cologne Act are permitted by Waste Discharge Requirements (WDRs) and may be required even when the discharge is already permitted or exempt under the CWA. In compliance with Section 401 of the CWA, the RWQCBs also issue water quality certifications for activities which may result in a discharge to waters of the U.S. This is most frequently required in tandem with a Section 404 permit request.

PLANT SPECIES

Regulatory Setting

The U.S. Fish and Wildlife Service (USFWS) and California Department of Fish and Wildlife (CDFW) have regulatory responsibility for the protection of special-status plant species. “Special-status” species are selected for protection because they are rare and/or subject to population and habitat declines. Special status is a general term for species that are provided varying levels of regulatory protection. The highest level of protection is given to threatened and endangered species; these are species that are formally listed or proposed for listing as endangered or threatened under the Federal Endangered Species Act (FESA) and/or the California Endangered Species Act (CESA).

This section of the document discusses all other special-status plant species, including CDFW species of special concern, USFWS candidate species, and California Native Plant Society (CNPS) rare and endangered plants.

The regulatory requirements for FESA can be found at 16 United States Code (USC) Section 1531, et seq. See also 50 Code of Federal Regulations (CFR) Part 402. The regulatory requirements for CESA can be found at California Fish and Game Code, Section 2050, et seq. Department projects are also subject to the Native Plant Protection Act, found at California Fish and Game Code, Section 1900-1913, and the California Environmental Quality Act (CEQA), found at California Public Resources Code, Sections 21000-21177.

ANIMAL SPECIES

Regulatory Setting

Many state and federal laws regulate impacts to wildlife. The U.S. Fish and Wildlife Service (USFWS), the National Oceanic and Atmospheric Administration’s National Marine Fisheries Service (NOAA Fisheries), and the California Department of Fish and Wildlife (CDFW) are responsible for implementing these laws. This section discusses potential impacts and permit requirements associated with animals not listed or proposed for listing under the federal or state Endangered Species Act.

Species listed or proposed for listing as threatened or endangered are discussed in the Threatened and Endangered Species below. All other special-status animal species are discussed here, including CDFW fully protected species and species of special concern, and USFWS or NOAA Fisheries Service candidate species.

Federal laws and regulations relevant to wildlife include the following:

- National Environmental Policy Act
- Migratory Bird Treaty Act
- Fish and Wildlife Coordination Act

State laws and regulations relevant to wildlife include the following:

- California Environmental Quality Act
- Sections 1600 – 1603 of the California Fish and Game Code
- Sections 4150 and 4152 of the California Fish and Game Code

THREATENED AND ENDANGERED SPECIES

Regulatory Setting

The primary federal law protecting threatened and endangered species is the Federal Endangered Species Act (FESA): 16 United States Code (USC) Section 1531, et seq. See also 50 Code of Federal Regulations (CFR) Part 402. This act and later amendments provide for the conservation of endangered and threatened species and the ecosystems upon which they depend. Under Section 7 of this act, federal agencies, such as the Federal Highway Administration (FHWA) (and the Department, as assigned), are required to consult with the U.S. Fish and Wildlife Service (USFWS) and the National Oceanic and Atmospheric Administration's National Marine Fisheries Service (NOAA Fisheries Service) to ensure that they are not undertaking, funding, permitting, or authorizing actions likely to jeopardize the continued existence of listed species or destroy or adversely modify designated critical habitat. Critical habitat is defined as geographic locations critical to the existence of a threatened or endangered species. The outcome of consultation under Section 7 may include a Biological Opinion with an Incidental Take statement or a Letter of Concurrence. Section 3 of FESA defines take as "harass, harm, pursue, hunt, shoot, wound, kill, trap, capture or collect or any attempt at such conduct."

California has enacted a similar law at the state level, the California Endangered Species Act (CESA), California Fish and Game Code Section 2050, et seq. CESA emphasizes early consultation to avoid potential impacts to rare, endangered, and threatened species and to develop appropriate planning to offset project-caused losses of listed species populations and their essential habitats. The California Department of Fish and Wildlife (CDFW) is the agency responsible for implementing CESA.

Section 2080 of the California Fish and Game Code prohibits "take" of any species determined to be an endangered species or a threatened species. Take is defined in Section 86 of the California Fish and Game Code as "hunt, pursue, catch, capture, or kill, or attempt to hunt, pursue, catch, capture, or kill." CESA allows for take incidental to otherwise lawful development projects; for these actions an incidental take permit is issued by CDFW. For species listed under both FESA and CESA requiring a Biological Opinion under Section 7 of FESA, the CDFW may also authorize impacts to CESA species by issuing a Consistency Determination under Section 2080.1 of the California Fish and Game Code.

Another federal law, the Magnuson-Stevens Fishery Conservation and Management Act of 1976, was established to conserve and manage fishery resources found off the coast, as well as anadromous species and Continental Shelf fishery resources of the United States, by exercising (A) sovereign rights for the purposes of exploring, exploiting, conserving, and managing all fish within the exclusive economic zone established by Presidential Proclamation 5030, dated March 10, 1983, and (B) exclusive fishery management authority beyond the exclusive economic zone over such anadromous species, Continental Shelf fishery resources, and fishery resources in special areas.

INVASIVE SPECIES

Regulatory Setting

On February 3, 1999, President William J. Clinton signed Executive Order (EO) 13112 requiring federal agencies to combat the introduction or spread of invasive species in the United States. The order defines invasive species as "any species, including its seeds, eggs, spores, or other biological material capable of propagating that species, that is not native to that ecosystem whose introduction does or is likely to cause economic or environmental harm or harm to human health." Federal Highway Administration (FHWA) guidance issued August 10, 1999 directs the use of the State's invasive species list, maintained by the California Invasive Species Council to define the invasive species that must be considered as part of the National Environmental Policy Act (NEPA) analysis for a proposed project.

CEQA Significance Determinations for Biological Resources

a) Less than Significant with Mitigation:

Special-Status Plant Species

The USFWS Information Planning and Consultation (IPaC) list and California Natural Diversity Database (CNDDDB) inventory database indicate that eight special-status plant species have the potential to occur within the region surrounding the Biological Study Area (BSA) based on the United States Geological Survey (USGS) 7.5-minute quadrangles in which the project is located. The plant species include San Antonio milk-vetch, Big Bear Valley woollypod, white pygmy-poppy, San Gabriel

linanthus, California muhly, Robbins' nemacladus, short-joint beavertail, and grey-leaved violet.

Suitable habitat for San Antonio milk-vetch, Big Bear Valley woollypod, San Gabriel linanthus, California muhly, and grey-leaved violet is not present within the BSA, as it is below the species elevational limits.

Suitable habitat for white pygmy-poppy, Robbins' nemacladus, and short-joint beavertail may be present in the BSA. Suitable habitat for Joshua trees is present in the BSA. Clearing, grubbing, and construction equipment have the potential to impact these special-status plant species.

In order to ensure no impacts occur on special-status plant species, measures BIO 4 – BIO 5 would be implemented.

Habitats and Natural Communities of Special Concern

According to the California Department of Fish and Wildlife (CDFW) CNDDDB, no Natural Communities of Concern were identified in the CNDDDB query as having potential to occur within the region surrounding the BSA.

Since there is no suitable habitat in the BSA for Natural Communities of Concern, the project would not impact Natural Communities of Concern.

Special-Status Animal Species

Two special-status avian species have the potential to occur within the USGS 7.5-minute quadrangles in which the project is located, based on queries of the USFWS IPaC list and CNDDDB inventory database. These include California Condor and Le Conte's thrasher.

Nesting and foraging habitat may be present within the BSA for Le Conte's thrasher. Foraging habitat may be present for the California Condor in the BSA. Clearing, grubbing, and construction noise has the potential to impact nesting and foraging birds. Removing vegetation would decrease foraging and nesting habitat availability for avian species.

To ensure that the project would not impact migratory bird species in the BSA or their nests or eggs, avoidance and minimization measures would be implemented. BIO-1, BIO-2, and BIO-6 would ensure that the project does not cause listed species to trend towards becoming extinct, or State Species of Special Concern to trend towards becoming listed.

Amphibian Species

Query results from the USFWS IPaC list and CNDDDB inventory database indicate that no special-status amphibian species have the potential to occur within the region

surrounding the BSA, based on the USGS 7.5-minute quadrangles in which the project is located.

The project would not impact special-status amphibian species.

Reptile Species

Two State and/or Federal special-status reptile species have the potential to occur within the region surrounding the BSA, based on the USFWS IPaC list and CNDDB inventory database within the USGS 7.50-minute quadrangles in which the project is located. These species include desert tortoise and coast horned lizard.

Suitable habitat may be present within the BSA for coast horned lizard and desert tortoise. Clearing, grubbing, and construction equipment have the potential to impact these species.

Spring surveys were conducted in years 2000, 2002, and 2011. During those surveys, desert tortoises were not observed within the proposed project area. The California Aqueduct acts as a geographical barrier between the proposed project area and known occupied habitat. The construction of the proposed project “may affect, and is likely to adversely affect” the Federally-listed desert tortoise.

To ensure that the project would not cause the coast horned lizard, a State Species of Special Concern species to trend towards becoming listed and the desert tortoise, a Federally and State-threatened species to trend towards becoming endangered, avoidance and minimization measures would be implemented. Avoidance and minimization measures BIO-1, BIO-2, BIO-7, BIO- 8, BIO-9, BIO-10, BIO-11, BIO-12, BIO-13, BIO-14 would be implemented.

Mammalian Species

Six State and/or Federal special-status mammal species have the potential to occur within the region surrounding the BSA, based on the wildlife database queries within the USGS 7.5-minute quadrangles in which the project is located. These species include Nelsons’ antelope squirrel, pallid San Diego pocket mouse, south coast marsh vole, western small-footed myotis, and Mohave ground squirrel.

There is no habitat in the BSA that is suitable for south coast marsh vole. The BSA is outside the range of the Nelson’s antelope squirrel. Suitable habitat may be present within the BSA but not within the PIA for western small-footed myotis. Therefore, the project would not impact these species.

Suitable habitat may be present within the BSA for the State Species of Special Concern pallid San Diego pocket mouse. Clearing, grubbing, and construction equipment has the potential to impact these species.

The 1992 Mohave ground squirrel occurrence noted in the CNDDB was over five miles northwest of the PIA for this project. Of the 48 protocol surveys conducted

from 2008-2012 in the southern portion of the range (from Lancaster and Palmdale on the west to Victorville on the east), only one Mohave ground squirrel was captured in Adelanto, which is over 13 miles northeast of the Project Impact Area (PIA) for this project. Therefore, it is not anticipated that the proposed project would impact State-threatened species Mohave ground squirrel and a 2081 permit would not be needed.

To ensure that the project would not cause State Species of Special Concern to trend towards becoming listed and State-threatened species to trend towards becoming endangered, avoidance and minimization measures BIO-1, BIO-2, BIO-3, and BIO-15 would be implemented.

Insect Species

According to the queries of the USFWS IPaC list and CNDDDB inventory database within the USGS 7.5-minute quadrangles in which the project is located, three State and/or Federal special-status insect species, the San Gabriel Mountains blue butterfly, Quino checkerspot butterfly, and crotch bumblebee have the potential to occur within the regions surrounding the BSA.

Suitable habitat for Quino checkerspot butterfly is not present, as the BSA is not within the species range. Suitable forest habitat for San Gabriel Mountains blue butterfly is not present within the BSA. Suitable habitat (i.e. food plant) for crotch bumblebee may be present in the BSA. Clearing and grubbing have the potential to impact this species.

To ensure that the project would not cause special status species to trend towards becoming listed, avoid and minimization measure BIO-4 would be implemented.

b) No Impact: A 1602 Streambed Alteration Agreement is required for all activities that alter streams and lakes and their associated riparian habitat. The project would require mitigation to comply with the CDFW “no net loss” policy. Pursuant to Section 1600 of the Fish and Game Code, a Lake and Streambed Alteration Agreement (LSAA) would be required from the CDFW. The project occurs in the Lahontan Regional Water Quality Board (RWQCB) Region 6. Under Section 401 of the CWA, the RWQCB must certify that the discharge of dredged or fill material into Waters of the United States (WUS) does not violate state water quality standards. Compensatory mitigation required by the RWQCB and/or CDFW would be determined in coordination with CDFW and RWQCB during the 1602 and 401 permitting process.

No Natural Communities of Concern were identified in the CNDDDB query as having the potential to occur within the region surrounding the BSA, based on the USGS 7.5-minute quadrangles in which the project is located. Therefore, the project would not impact Natural Communities of Concern.

Construction activities would be limited to the smallest footprint possible within jurisdictional features.

c) Less than Significant Impact: The National Wetlands Inventory (NWI) was used to identify the presence of wetlands in the BSA. The NWI identified four jurisdictional drainages in the BSA, all of which are perpendicular to the project alignment and are classified as riverine: R4SBA [R=System Riverine, 4=Subsystem Intermittent, SB=Class Streambed, A=Water Regime Temporary Flooded] and R4SBC [Seasonally Flooded (C)].

The project proposes to extend 12 culverts that run perpendicular to the SR-138 and replace six culverts. The project is anticipated to result in permanent impacts to Waters of the State, including the culvert extensions, areas of culvert relocation, and pavement. Temporary impacts would mostly be caused by construction equipment access.

d) No Impact: The project area is outside of the NOAA Fisheries jurisdictional area. No special-status fish species were identified in the USFWS IPaC list and CNDDDB inventory database queries as having the potential to occur within the region surrounding the BSA. In addition, there is no suitable aquatic habitat that would support special-status fish species in the PIA. Therefore, the proposed project has no potential to impact special-status fish species or NOAA Fisheries-protected resources.

e) Less Than Significant with Mitigation: The proposed project would not conflict with any local policies or ordinances protecting biological resources. Therefore, the proposed project would have no impact.

f) No Impact: The project is consistent with the adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan. As such, there would be no impact.

Avoidance and Minimization Measures

BIO-1 Biological Monitor: A qualified contractor-supplied biologist will be designated to oversee compliance of all protective measures and will monitor all construction-related activities. The biological monitor will notify the resident engineer of project activities that may not be in compliance. The resident engineer will stop work until the protective measures are implemented fully.

BIO-2 Worker Environmental Awareness Training: A qualified contractor-supplied biologist will create and present an education program prior to the onset of ground-disturbing activities to all onsite personnel who will be in the project limits for longer than 30 minutes. At a minimum, the program will include the following: distribution, general behavior, and ecology of the desert tortoise, Mohave ground squirrel, nesting birds, and other sensitive species that have the potential to occur within the project limits, sensitivity of the species to human activities, legal protection afforded to these species, penalties for violations of Federal and State laws, notification procedures by workers or contractors if a tortoise or other sensitive species is found in a construction area, and project

features designed to reduce the impacts to these species and promote continued successful occupation of the project area. Instruct project personnel to attach surveyor flagging tape to a conspicuous place on each piece of equipment to remind the operator to check under the equipment for desert tortoises before operating equipment during the next shift. Handout materials will be distributed for workers and will be posted at all construction field offices and on all information boards.

BIO-3 Equipment Staging: Equipment, vehicles, and materials staged and stored in Caltrans right-of-way will be sited in previously paved or previously disturbed areas only and will avoid native vegetation. Approval of additional staging areas will require the Caltrans Biologist to analyze project impacts and provide authorization for additional staging areas.

BIO-4 Rare Plant / Host Plant Pre-Construction Clearance Survey, Flagging, and Fencing: No more than one week prior to ground breaking activities, a qualified biologist must perform a pre-construction survey for rare plant species and rare insect host plants. Should any rare plants or rare insect host plants be found, the Resident Engineer and Caltrans Environmental Stewardship and Biological Monitoring branch will be contacted, and individuals will be flagged by the qualified biologist for clear identification to ensure they are visible to construction personnel for avoidance. Should multiple plants in a single location be found, the groupings will be fenced with environmentally sensitive area temporary fencing.

BIO-5 Rare Plant Translocation: If a special status plant species that cannot simply be fenced and can survive transplantation is found within the work area, the authorized contractor-supplied biologist will contact the Caltrans Environmental Stewardship and Biological Monitoring branch to determine the time and suitable translocation area for the plant species to be moved.

BIO-6 Pre-Construction Clearance/Nesting Bird Survey: If construction occurs within the bird nesting season (February 1 to September 30), then pre-construction surveys will be conducted by a qualified biologist to locate nesting birds within 72 hours prior to construction. If an active nest is located, a 300-foot no-construction buffer (500-foot buffer for raptors) will be put in place until nesting has ceased or the young have fledged.

BIO-7 Pre-Construction Desert Tortoise Survey: Immediately prior to the start of ground disturbing activities (vegetation clearing and grading), and prior to the installation of any desert tortoise exclusion fencing, clearance surveys for the desert tortoise will be conducted by the contractor-supplied biologist. The entire project area will be surveyed for desert tortoise and their burrows by the contractor-supplied biologist prior to the start of any ground-disturbing activities.

BIO-8 Temporary Desert Tortoise Fencing: Temporary exclusion fencing will be installed outlining the perimeter of any construction staging, storage, or batch plant

areas to prevent entry by desert tortoises into the work site. Exclusion fencing will be installed following U.S. Fish and Wildlife Service guidelines (2017) or more current protocol. The contractor-supplied biologist must be present during the installation and removal of temporary desert tortoise fence and regularly monitor the fencing during construction to ensure that desert tortoises cannot pass under, over, or around the fence. The contractor-supplied biologist must ask the Contractor/Engineer to repair damaged areas of the fence.

BIO-9 Desert Tortoise Under Vehicles and/or Equipment: The contractor-supplied biologist and project personnel shall carefully check under parked vehicles and equipment for desert tortoises before any of the vehicles or equipment can be moved.

BIO-10 Desert Tortoise in Work Area: If at any time a desert tortoise is observed in the project area or within 500 feet of the project area, the contractor-supplied biologist will contact the Resident Engineer and the Caltrans Environmental Stewardship and Biological Monitoring branch. Desert tortoises cannot be handled or harassed and must leave the job site under their own accord. Activities may not resume until appropriate authorization is given by CDFW and USFWS to continue the project.

BIO-11 Injured or Dead Desert Tortoise: The contractor-supplied biologist will inform the Resident Engineer and Caltrans Environmental Stewardship and Biological Monitoring branch of any injured or dead desert tortoises (and other special status species) found on the job site or within 500 ft of the job site (verbal notification within 24 hours and written notification within 5 days).

BIO-12 Desert Tortoise Monitoring Reports: The contractor-supplied biologist will conduct regular on-site monitoring and submit a weekly monitoring report for desert tortoises (and additional special status species) during construction.

BIO-13 Speed Limits in Desert Tortoise Habitat: Except on maintained public roads designated for higher speeds or within desert tortoise-proof fenced areas, driving speeds will not exceed 20 miles per hour through potential desert tortoise habitat on unpaved roads.

BIO-14 Desert Tortoise Predation Prevention: To preclude attracting predators, such as the common raven (*Corvus corax*) and coyotes (*Canis latrans*), food-related trash items will be placed in covered refuse cans and removed daily from the work sites and disposed of at an appropriate refuse disposal site. Workers are prohibited from feeding any and all wildlife.

BIO-15 Pre-Construction Survey and Monitoring by a Qualified Mohave Ground Squirrel and Pallid San Diego Pocket Mouse Biologist: Prior to the commencement of ground-disturbing activities, a contractor-supplied biologist, knowledgeable and experienced in the biology and natural history of the Mohave ground squirrel and pallid San Diego pocket mouse, will conduct a preconstruction

survey for Mohave ground squirrel and pallid San Diego pocket mouse. This biologist will also be assigned to monitor construction activities and implement avoidance and minimization measures to avoid the take of individual animals and to minimize habitat disturbance.

2.5 CULTURAL RESOURCES

Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
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) Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Regulatory Setting

The California Environmental Quality Act (CEQA) requires the consideration of cultural resources that are historical resources and tribal cultural resources, as well as “unique” archaeological resources. California Public Resources Code (PRC) Section 5024.1 established the California Register of Historical Resources (CRHR) and outlined the necessary criteria for a cultural resource to be considered eligible for listing in the CRHR and, therefore, a historical resource. Historical resources are defined in PRC Section 5020.1(j). In 2014, Assembly Bill 52 (AB 52) added the term “tribal cultural resources” to CEQA, and AB 52 is commonly referenced, instead of CEQA, when discussing the process to identify tribal cultural resources (as well as identifying measures to avoid, preserve, or mitigate effects to them). Defined in PRC Section 21074(a), a tribal cultural resource is a CRHR or local register eligible site, feature, place, cultural landscape, or object which has a cultural value to a California Native American tribe. Tribal cultural resources must also meet the definition of a historical resource. Unique archaeological resources are referenced in PRC Section 21083.2.

PRC Section 5024 requires state agencies to identify and protect state-owned historical resources that meet the NRHP listing criteria. It further requires the Department to inventory state-owned structures in its rights-of-way

CEQA Significance Determinations for Cultural Resources

a) No Impact: According to the *Historic Property Survey Report for EA 1H830* completed on August 29, 2019 for this project, Caltrans has determined a Finding of No Historic Properties Affected is appropriate for this undertaking because there are no historic properties within the APE. There would be no potential to affect historic properties eligible for or listed in the National Register of Historic Places. Therefore, there would be no impacts on historic properties.

b) No Impact: There would be no adverse changes in the significance of an archaeological resource because the project is situated in an area littered with intermittent streams and ephemeral washes, of which bisect SR-138 facilitating a loss in archaeological preservation. Based on the results, the potential to encounter intact subsurface cultural deposits during ground disturbing activities is low. Therefore, there would be no impacts.

c) No Impact: The project area has experienced disturbances over a span of 38 years. There has not been any newly identified cultural resources in the APE. The potential to encounter intact subsurface deposits is extremely low. However, standard Caltrans design features would be included in the project in the event that any inadvertent discoveries are encountered.

Assembly Bill 52

AB 52 consultation was conducted in February and March of 2019. Caltrans contacted San Fernando Band of Mission Indians. Follow up e-mails were sent. Caltrans did not receive a response.

Caltrans contacted San Manuel Band of Mission Indians in February and March of 2019. Drafts of the requested documents were sent on August 15, 2019. San Manuel Band of Mission Indians replied in September 2019 that they do not have any concerns with the project's implementation at the time.

Avoidance, Minimization, and/or Mitigation Measures

No measures are required for cultural resources; however, the following standard Caltrans design features will be included:

CR-1: If buried cultural resources are encountered during Project Activities, it is Caltrans policy that work stop in that area until a qualified archaeologist can evaluate the nature and significance of the find.

CR-2: If human remains are discovered, State Health and Safety Code Section 7050.5 states that further disturbances and activities shall cease in any area or nearby area suspected to overlie remains, and the County Coroner contacted. Pursuant to California PRC Section 5097.98, if the remains are thought to be Native American, the coroner will notify the NAHC who will then notify the Most Likely Descendant. At this time, the person who discovered the remains will contact Andrew Walters, Senior Environmental Planner, Cultural Studies [(909) 383-2647] or Gary Jones, District Native American Coordinator [(909) 383-7505] so that they may work with the Most Likely Descendant on the respectful treatment and disposition of the remains. Further provisions of PRC 5097.98 are to be followed as applicable.

2.6 ENERGY

Would the project:	Significant and Unavoidable Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

CEQA Significance Determinations for ENERGY

a) No Impact: Caltrans implements best management practices (BMPs) to prevent wasteful consumption of resources during construction or operation. As such, no impacts are anticipated.

b) No Impact: The proposed project does not conflict with any known state or local plan for renewable energy or energy efficiency. Therefore, there would be no impacts.

Avoidance, Minimization, and/or Mitigation Measures

No measures are required.

2.7. GEOLOGY AND SOILS

	Significant and Unavoidable Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:				
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"/>
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"/>
f) 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"/>

Regulatory Setting

Topographic and geologic features are also protected under the California Environmental Quality Act (CEQA).

This section also discusses geology, soils, and seismic concerns as they relate to public safety and project design. Earthquakes are prime considerations in the design and retrofit of structures. Structures are designed using the Department's Seismic Design Criteria (SDC). The SDC provides the minimum seismic requirements for highway bridges designed in California. A bridge's category and classification will

determine its seismic performance level and which methods are used for estimating the seismic demands and structural capabilities.

CEQA Significance Determinations for Geology and Soils

a i), a ii), aiii) No Impact: According to the California Department of Conservation Earthquake Zones of Required Investigation Maps, the proposed project location is not in an Alquist-Priolo Earthquake Fault Zone, and there are no known active or potentially active faults mapped as crossing or in the immediate vicinity. No impacts would occur.

a iv) No Impact: Landslides are mass movements of the ground that include rock falls, relatively shallow slumping and sliding of soil, and deeper rotational or transitional movement of soil or rock. Impacts associated with landslides or mudslides are not anticipated in the project area since the project area is relatively flat. Based on a review of geologic mapping, there would be a low probability for a landslide. No impacts would occur.

b) No Impact: Project does not anticipate any substantial loss of soil erosion or top soil. No impacts would occur.

c) No Impact: The San Bernardino County Land Use Plan General Plan Geologic Hazard Overlay Map does not identify any geologic hazards for the project. It also does not identify any land within the project limits as susceptible to landslides or liquefaction. Therefore, there are no impacts.

d) No Impact: The San Bernardino County Land Use Plan General Plan Geologic Hazard Overlay Map does not identify any geologic hazards for the project. It also does not identify any land within the project limits as susceptible to landslides or liquefaction, which implies the absence of expansive soil. Therefore, there would be no impacts.

e) No Impact: Septic tanks or alternative waste water disposal systems would not be part of the proposed project. Therefore, there would be no impacts.

f) No Impact: The proposed project is on an existing paved highway and would not destroy a unique paleontological resource or site or unique geologic feature. Therefore, there would be no impacts.

2.8 GREENHOUSE GAS EMISSIONS

Would the project:	Significant and Unavoidable Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

CEQA Significance Determinations for Greenhouse Gas Emissions

a) Less Than Significant Impact: While the project would result in GHG emissions during construction, it is anticipated that the project would not result in any increase in operational GHG emissions. With implementation of construction GHG-reduction measures, the proposed project would result in less than significant impacts.

b) Less Than Significant Impact: The project does not conflict with an applicable plan, policy or regulation adopted for the purpose of reducing emissions of greenhouse gases.

Avoidance, Minimization, and/or Mitigation Measures

TRF-1, a traffic management plan would be implemented to minimize traffic delays and associated idling emissions during construction.

2.9. HAZARDS AND HAZARDOUS MATERIALS

Would the project:	Significant and Unavoidable Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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 type="checkbox"/>	<input checked="" type="checkbox"/>
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 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 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) 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"/>
g) 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"/>

Regulatory Setting

Hazardous materials, including hazardous substances and wastes, are regulated by many state and federal laws. Statutes govern the generation, treatment, storage and disposal of hazardous materials, substances, and waste, and also the investigation and mitigation of waste releases, air and water quality, human health, and land use.

California regulates hazardous materials, waste, and substances under the authority of the CA Health and Safety Code and is also authorized by the federal government to implement the Resource Conservation and Recovery Act (RCRA) in the state. California law also addresses specific handling, storage, transportation, disposal, treatment, reduction, cleanup, and emergency planning of hazardous waste. The Porter-Cologne Water Quality Control Act also restricts disposal of wastes and

requires cleanup of wastes that are below hazardous waste concentrations but could impact ground and surface water quality. California regulations that address waste management and prevention and cleanup of contamination include Title 22 Division 4.5 Environmental Health Standards for the Management of Hazardous Waste, Title 23 Waters, and Title 27 Environmental Protection.

Worker and public health and safety are key issues when addressing hazardous materials that may affect human health and the environment. Proper management and disposal of hazardous material is vital if it is found, disturbed, or generated during project construction.

CEQA Significance Determinations for Hazards and Hazardous Materials

a) No Impact. Implementation of the proposed project is not expected to result in the creation of any new hazards or expose people to potential new health hazards. No storage of toxic materials or chemicals would occur, and the project is not anticipated to increase the potential hazardous materials in the project area. The Initial Site Assessment Checklist completed for the project determined the hazardous waste involvement to be low.

b) No Impact. The proposed project is not anticipated to result in a release of hazardous materials into the environment. Standard construction practices would be observed such that any materials released are appropriately contained as required by local and state law. Therefore, the proposed project is expected to result in no impacts.

c) No Impact. The project would not emit hazardous emissions or handle hazardous waste within one-quarter mile of a school. The proposed project is expected to result in no impacts.

d) No Impact. No potentially hazardous waste sites were listed on the GeoTracker and Envirostor database on or near the project location. No underground storage tanks, surface tanks, sumps, ponds, drums, basins, transformers, or landfills were identified. Furthermore, no surface staining, oil sheen, odors, or vegetation damage was identified on the ISA Checklist. The project would result in no impacts.

e) No Impact. The proposed project is not within two miles of a public airport or public use airport. Nor would the project result in a safety hazard for people residing or working in the project area.

f) No Impact. The project would not impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan. The proposed project is expected to result in no impacts.

g) No Impact. The proposed project would not 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. Therefore, no impacts are anticipated.

Avoidance, Minimization, and/or Mitigation Measures

Haz-1: Use SSP 7-1.02K(6)(j)(iii) Specifications for handling, removing, and disposing of earth material containing lead. Earth material containing lead requires a lead compliance plan for disturbance when lead concentration are non-hazardous.

Haz-2: Use SSP 84-9.03B for the removal of traffic stripes and pavement markings.

Haz-3: Use SSP 36-4 for residue containing lead from paint and thermoplastic.

2.10. HYDROLOGY AND WATER QUALITY

Would the project:	Significant and Unavoidable Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such the project may impede sustainable groundwater management of the basin?	<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 or through the addition of impervious surfaces, in a manner which would:				
(i) result in substantial erosion or siltation on- or off-site;	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(ii) substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite;	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(iv) impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Regulatory Setting

Water Quality and Stormwater Runoff

State Requirements: Porter-Cologne Water Quality Control Act

California's Porter-Cologne Act, enacted in 1969, provides the legal basis for water quality regulation within California. This act requires a "Report of Waste Discharge" for any discharge of waste (liquid, solid, or gaseous) to land or surface waters that may impair beneficial uses for surface and/or groundwater of the state. It predates the CWA and regulates discharges to waters of the state. Waters of the state include more than just waters of the U.S., like groundwater and surface waters not considered waters of the U.S. Additionally, it prohibits discharges of "waste" as defined, and this definition is broader than the CWA definition of "pollutant." Discharges under the Porter-Cologne Act are permitted by Waste Discharge Requirements (WDRs) and

may be required even when the discharge is already permitted or exempt under the CWA.

The State Water Resources Control Board (SWRCB) and RWQCBs are responsible for establishing the water quality standards (objectives and beneficial uses) required by the CWA and regulating discharges to ensure compliance with the water quality standards. Details about water quality standards in a project area are included in the applicable RWQCB Basin Plan. In California, RWQCBs designate beneficial uses for all water body segments in their jurisdictions and then set criteria necessary to protect those uses. As a result, the water quality standards developed for particular water segments are based on the designated use and vary depending on that use. In addition, the SWRCB identifies waters failing to meet standards for specific pollutants. These waters are then state-listed in accordance with CWA Section 303(d). If a state determines that waters are impaired for one or more constituents and the standards cannot be met through point source or non-point source controls (NPDES permits or WDRs), the CWA requires the establishment of Total Maximum Daily Loads (TMDLs). TMDLs specify allowable pollutant loads from all sources (point, non-point, and natural) for a given watershed.

State Water Resources Control Board and Regional Water Quality Control Boards

The SWRCB administers water rights, sets water pollution control policy, issues water board orders on matters of statewide application, and oversees water quality functions throughout the state by approving Basin Plans, TMDLs, and NPDES permits. RWQCBs are responsible for protecting beneficial uses of water resources within their regional jurisdiction using planning, permitting, and enforcement authorities to meet this responsibility.

National Pollutant Discharge Elimination System (NPDES) Program

Municipal Separate Storm Sewer Systems (MS4)

Section 402(p) of the CWA requires the issuance of NPDES permits for five categories of storm water discharges, including Municipal Separate Storm Sewer Systems (MS4s). An MS4 is defined as “any conveyance or system of conveyances (roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, human-made channels, and storm drains) owned or operated by a state, city, town, county, or other public body having jurisdiction over storm water, that is designed or used for collecting or conveying storm water.” The SWRCB has identified the Department as an owner/operator of an MS4 under federal regulations. The Department’s MS4 permit covers all Department rights-of-way, properties, facilities, and activities in the state. The SWRCB or the RWQCB issues NPDES permits for five years, and permit requirements remain active until a new permit has been adopted.

The Department’s MS4 Permit, Order No. 2012-0011-DWQ (adopted on September 19, 2012 and effective on July 1, 2013), as amended by Order No. 2014-0006-EXEC

(effective January 17, 2014), Order No. 2014-0077-DWQ (effective May 20, 2014) and Order No. 2015-0036-EXEC (conformed and effective April 7, 2015) has three basic requirements:

1. The Department must comply with the requirements of the Construction General Permit (see below);
2. The Department must implement a year-round program in all parts of the State to effectively control storm water and non-storm water discharges; and
3. The Department's storm water discharges must meet water quality standards through implementation of permanent and temporary (construction) Best Management Practices (BMPs), to the maximum extent practicable, and other measures as the SWRCB determines to be necessary to meet the water quality standards.

To comply with the permit, the Department developed the Statewide Storm Water Management Plan (SWMP) to address storm water pollution controls related to highway planning, design, construction, and maintenance activities throughout California. The SWMP assigns responsibilities within the Department for implementing storm water management procedures and practices as well as training, public education and participation, monitoring and research, program evaluation, and reporting activities. The SWMP describes the minimum procedures and practices the Department uses to reduce pollutants in storm water and non-storm water discharges. It outlines procedures and responsibilities for protecting water quality, including the selection and implementation of BMPs. The proposed project will be programmed to follow the guidelines and procedures outlined in the latest SWMP to address storm water runoff.

Construction General Permit

Construction General Permit, Order No. 2009-0009-DWQ (adopted on September 2, 2009 and effective on July 1, 2010), as amended by Order No. 2010-0014-DWQ (effective February 14, 2011) and Order No. 2012-0006-DWQ (effective on July 17, 2012). The permit regulates storm water discharges from construction sites that result in a Disturbed Soil Area (DSA) of one acre or greater, and/or are smaller sites that are part of a larger common plan of development. By law, all storm water discharges associated with construction activity where clearing, grading, and excavation result in soil disturbance of at least one acre must comply with the provisions of the General Construction Permit. Construction activity that results in soil disturbances of less than one acre is subject to this Construction General Permit if there is potential for significant water quality impairment resulting from the activity as determined by the RWQCB. Operators of regulated construction sites are required to develop Storm Water Pollution Prevention Plans (SWPPPs); to implement sediment, erosion, and pollution prevention control measures; and to obtain coverage under the Construction General Permit.

The Construction General Permit separates projects into Risk Levels 1, 2, or 3. Risk levels are determined during the planning and design phases, and are based on potential erosion and transport to receiving waters. Requirements apply according to the Risk Level determined. For example, a Risk Level 3 (highest risk) project would require compulsory storm water runoff pH and turbidity monitoring, and before construction and after construction aquatic biological assessments during specified seasonal windows. For all projects subject to the permit, applicants are required to develop and implement an effective SWPPP. In accordance with the Department's SWMP and Standard Specifications, a Water Pollution Control Program (WPCP) is necessary for projects with DSA less than one acre.

Section 401 Permitting

Under Section 401 of the CWA, any project requiring a federal license or permit that may result in a discharge to a water of the U.S. must obtain a 401 Certification, which certifies that the project will be in compliance with state water quality standards. The most common federal permits triggering 401 Certification are CWA Section 404 permits issued by the USACE. The 401 permit certifications are obtained from the appropriate RWQCB, dependent on the project location, and are required before the USACE issues a 404 permit.

In some cases, the RWQCB may have specific concerns with discharges associated with a project. As a result, the RWQCB may issue a set of requirements known as WDRs under the State Water Code (Porter-Cologne Act) that define activities, such as the inclusion of specific features, effluent limitations, monitoring, and plan submittals that are to be implemented for protecting or benefiting water quality. WDRs can be issued to address both permanent and temporary discharges of a project.

CEQA Significance Determinations for Hydrology and Water Quality

a) No Impact: The Build Alternative would not violate any water quality standards or waste discharge requirements. The project would require implementation of BMPs during both construction and operation of the project. Upon adherence to these requirements and implementation of BMPs, no impacts would occur in this regard during construction.

b) No Impact: According to the October 2019 Storm Water Data Report (SWDR), there are no municipal or domestic water supply reservoirs or groundwater percolation facilities within the project limits. Implementation of the project would not deplete groundwater supplies or interfere substantially with groundwater recharge that would result in a net deficit in aquifer volume or a lowering of the groundwater table level.

According to the Basin Plan for the Lahontan Region, the proposed project is located within the Mojave Hydrologic Unit (Hydrologic Unit No. 628.00) and overlies the Upper Mojave River Valley groundwater basin (Basin No. 6-42) and the El Mirage

groundwater basin (Basin No. 6-43). The beneficial uses of surface waters of the Mojave Hydrologic Unit are Municipal and Domestic Supply (MUN), Agricultural Supply (AGR), Industrial Process Supply (PRO), Industrial Service Supply (IND), Ground Water Recharge (GWR), Freshwater Replenishment (FRSH), Navigation (NAV), Hydropower Generation (POW), Water Contact Recreation (REC-1), Noncontact Water Recreation (REC-2), Commercial and Sportfishing (COMM), Aquaculture (AQUA), Warm Freshwater Habitat (WARM), Cold Freshwater Habitat (COLD), Inland Saline Water Habitat (SAL), Wildlife Habitat (WILD), Preservation of Biological Habitats of Special Significance (BIOL), Rare, Threatened, or Endangered Species (RARE), Migration of Aquatic Organisms (MIGR), Spawning (SPWN), Water Quality Enhancement (WQE), Flood Peak Attenuation/Flood Water Storage (FLD).

The beneficial uses for ground waters for the Upper Mojave River Valley is MUN, AGR, IND, FRSH, and POND. The beneficial uses for ground waters for El Mirage Valley is MUN, AGR, IND, and FRSH.

The proposed project is not anticipated to affect the amount of water consumed regionally through increased withdrawals from ground water sources. As such, the proposed project would have no impacts.

c) i) Less Than Significant Impact: The SWDR states that there are no historical records to indicate flooding issues within the project limits. Existing drainage systems intercept these offsite runoffs prior to reaching the pavement areas. It is anticipated to have some minor soil erosion on disturbed soil area. Erosion control and BMPs would be incorporated as part of the project to reduce storm water impacts. As such the proposed project would have less than significant impacts.

c) ii) No Impact: The SWDR indicates that there are no historical records to indicate roadway flooding issues within the project limits. Existing drainage systems intercept these offsite runoffs prior to reaching the pavement areas. The Hydrologic Soil Group (HSG) in the project area is defined as having a good infiltration rate and has low runoff potential when thoroughly wet. The project would not result in planned changes to the existing drainage pattern of the site increase the rate or amount of surface runoff. As such the proposed project would have no impact.

c) iv) No Impact: The proposed project would not impede or redirect flood flows. There would be no impacts.

d) No Impact: According to the Flood Insurance Rate Map (FIRM), provided by the Federal Emergency Management Agency (FEMA), the proposed project area is in the San Bernardino County Unincorporated Areas Zone D. FEMA classifies Zone D as an area where there are possible but undetermined flood hazards, as no analysis of flood hazards has been conducted. The SWDR also indicates that there are no records that indicate roadway flooding within the project limits. Caltrans would implement

the use of permanent treatment BMPs to minimize and avoid water quality impacts in the post construction condition. Therefore, the project would have no impact.

e) No Impact: The proposed project is estimated to disturb approximately 8.25 acres. In order to address Section 402 of the Clean Water Act, the following “NPDES permits” will apply: Order No. 2012-0011-DWQ, (NPDES No. CAS000003), (Caltrans NPDES permit) which regulates storm water activities (design, operation, construction and maintenance) within Caltrans right-of-way; Order No. 2009-0009-DWQ, NPDES No. CAS000002 (“Statewide Construction General Permit”), is for projects that disturb more than one acre of soil, to address storm water during construction. Both permits have already been issued by the State Water Resources Control Board and only need the submittal of a Notice of Intent to activate the Construction General Permit for construction.” The project would not conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan. Therefore, there would be no impacts.

Avoidance, Minimization, and/or Mitigation Measures

WQ-1: The project will include the use of permanent treatment BMPs to mitigate pollutants from stormwater runoff.

2.11 LAND USE AND PLANNING

Would the project:

Significant and Unavoidable Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
---	--	------------------------------------	--------------

a) Physically divide an established community?

☐
☐
☐
☒

b) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?

☐
☐
☐
☒

CEQA Significance Determinations for Land Use and Planning

a) No Impact: Implementation of the proposed project locations would not divide an established community, as the location is already disturbed and located on the State Route. Therefore, the project would have no impacts.

b) No Impact: The proposed project would not conflict with any applicable land use, plan, policy, or regulation. The project is expected to result in no impacts.

Avoidance, Minimization, and/or Mitigation Measures

No avoidance, minimization, or mitigation measures are required for land use and planning.

2.12 MINERAL RESOURCES

Would the project:	Significant and Unavoidable Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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"/>

Regulatory Setting

The Surface Mining and Reclamation Act (SMARA) was framed to address the loss of regionally substantial material deposits to land uses that preclude mining. SMARA mandates a two-phased mineral resource conservation process called classification-designation. The California Division of Mines and Geology (CDMG) is responsible under SMARA for carrying out the classification phase of the process. The State Mining and Geology Board is responsible for the second phase, which allows the State Mining and Geology Board to designate areas in production-consumption region that contain substantial deposits of Portland cement concrete grade aggregate (valued for its importance in construction and versatility) that may be needed to meet the region's future demand.

CEQA Significance Determinations for Mineral Resources

a) No Impact: According to the General Plan Land Use Map, the proposed project is not located in an area designated as Mineral Resources. Therefore, there are no impacts expected.

b) No Impact: The proposed project would not result in the loss of available mineral resources of value to the region, residents of the state, or locally-important sites. As such, the proposed project is expected to result in no impacts.

Avoidance, Minimization, and/or Mitigation Measures

No avoidance, minimization, or mitigation measures are required for mineral resources

2.13 NOISE

Would the project result in:	Significant and Unavoidable Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project 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) Generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) For a project within the vicinity of a private airstrip or 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"/>

Regulatory Setting

California Environmental Quality Act

CEQA requires a strictly baseline versus build analysis to assess whether a proposed project will have a noise impact. If a proposed project is determined to have a significance noise impact under CEQA, then CEQA dictates that mitigation measures must be incorporated into the project unless those measures are not feasible. The rest of this section will focus on the NEPA 23 Code of Federal Regulations Part 772 (23 CFR 772) noise analysis.

CEQA Significance Determinations for Noise

a) No Impact. The project would not expose people to or generate noise levels in excess of standards established in a general plan or noise ordinance, or applicable standards of other agencies. The project is a Type III project under 23 CFR 772.7; therefore, Caltrans Engineering determined that a noise study report was not required for the project. There would be no noise impact.

b) No Impact. Any groundborne noise or vibration would be limited to the construction period and would be short in duration. Because there are no noise- or vibration- sensitive uses located in the immediate project vicinity and because the proposed project would comply with Caltrans' Standard Specifications, no impacts would occur.

c) No Impact. The proposed project is not within two miles of an airport and there are no habitable structures near the proposed project. Therefore, no noise impacts related to air traffic would occur.

Avoidance, Minimization, and/or Mitigation Measures

No measures are required.

2.14 POPULATION AND HOUSING

Would the project:	Significant and Unavoidable Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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 people or housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Regulatory Setting

The California Environmental Quality Act (CEQA) also requires the analysis of a project's potential to induce growth. The CEQA guidelines (Section 15126.2[d]) require that environmental documents "...discuss the ways in which the proposed project could foster economic or population growth, or the construction of additional housing, either directly or indirectly, in the surrounding environment..."

CEQA Significance Determinations for Population and Housing

a) No Impact: The proposed project would not induce substantial population growth in an area, either directly or indirectly. Therefore, there would be no impacts.

b) No Impact: The proposed project would not necessitate the relocation of any developments and/or people. No impacts on population and housing would occur as a result of the proposed project. Therefore, there would be no impacts.

Avoidance, Minimization, and/or Mitigation Measures

No measures are required.

2.15 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:

	Significant and Unavoidable Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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"/>

Regulatory Setting

In accordance with CEQA Guidelines, Environmental Checklist Form, Appendix G (XIII. Public Services), the effects of a project are evaluated to determine if they will result in a substantial adverse impact on the environment. A substantial impact would occur if the project would result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, or result in the need for new or physically altered governmental facilities, the construction of which could cause substantial environmental impacts in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services including fire protection, police protection, or other public facilities.

CEQA Significance Determinations for Public Services

a) No Impacts

Response to Fire protection and Police protection: No Impact. The proposed project would not affect the level of service on SR-138. The proposed project would not result in an increase in population, and therefore would not increase the demand for community services. No fire stations would be acquired or displaced. The project would not induce growth or increase population in the study area or the greater community beyond that previously planned for and would not result in the need for additional fire protection. Response times for Police and Fire Agencies are not expected to be impacted. The construction of the project is approximated 340 working days. Traffic control and/or detours will be coordinated with the emergency response providers and the local school districts to develop a traffic management plan.

Response to Schools: No Impact. No schools are located near the project vicinity. The proposed project would not result in accessibility problems to existing schools and is not expecting to result in any other impacts on school services. As such, there are no impacts.

Response to Parks: No Impact. No parks exist that border the project limits; therefore, no impacts on parks are anticipated.

Response to Other Public Facilities: No Impact. There are no public facilities in the immediate project area. Therefore, there would be no impact on public facilities as a result of construction or operation of the project.

Avoidance, Minimization, and/or Mitigation Measures

TRF-2: A Transportation Management Plan will be prepared and coordinated with the local emergency responders.

2.16 RECREATION

	Significant and Unavoidable Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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"/>

Regulatory Setting

In accordance with CEQA Guidelines, Environmental Checklist Form, Appendix G (XIV. Recreation), the effects of a project are evaluated to determine if they will result in a substantial adverse impact on the environment. A substantial impact would occur if the project would result in an increase in use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated. Impacts would also occur if the project were to include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect of the environment.

CEQA Significance Determinations for Recreation

a) No Impact: The proposed project does not have the capacity to generate a substantial increase to use of any existing neighborhood parks, regional parks, or other recreational facilities such that physical deterioration would occur. Therefore, there are no impacts.

b) No Impact: The project would not require the construction or expansion of recreational facilities. As such, no impacts are anticipated.

Avoidance, Minimization, and/or Mitigation Measures

No measures are required.

2.17 TRANSPORTATION/TRAFFIC

Would the project:	Significant and Unavoidable Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Would the project conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Substantially increase hazards due to a geometric 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"/>
d) Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Regulatory Setting

The traffic issues related to the proposed land use and development have been evaluated in the context of the California Environmental Quality Act (CEQA). Environmental impact thresholds as indicated in Appendix G of the CEQA Guidelines were also used in this analysis. The project would create a substantial impact if it would do on of the following: 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 nonmotorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways, and freeways, pedestrians and bicycle paths and mass transit, conflict with applicable congestion management program, result in a change to air traffic patterns, increase hazards due to a design feature, result in inadequate emergency access, or conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities.

CEQA Significance Determinations for Transportation/Traffic

a) No Impact: The proposed project would not conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities. No impacts are anticipated.

b) No Impact: The proposed project would not conflict or be inconsistent with CEQA guidelines section 15064.3, subdivision (b). The project is not a capacity increasing project and would not increase the “vehicle miles traveled.” Therefore, there would be no impacts.

c) No Impact: The project proposes to add a 4-foot median buffer with 8-foot standard shoulders; install median and shoulder rumble strips; extend 12 existing culverts and replace 6 culverts on (SR-138) to improve safety. It would not substantially increase hazards due to geometric design features or incompatible uses. As such, the proposed project would have no impacts.

d) No Impact: The project has a total of 340 working days. Traffic during construction will be detailed in the Traffic Management Plan and shared with emergency responders. There would be no impacts.

Avoidance, Minimization, and/or Mitigation Measures

No measures are required.

2.18 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
- 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.

Significant and Unavoidable Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<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"/>

CEQA Significance Determinations for Tribal Cultural Resources

- a) No Impact:** There are no tribal cultural resources near or within the project study area and, therefore, the project would have no impact on any tribal cultural resources.
- b) No Impact:** There are no significant resources for a California Native American tribe identified near or within the project study area.

Avoidance, Minimization, and/or Mitigation Measures

Implementation of measures **CR-1** and **CR-2**, as described in the Cultural Resources Section above, would reduce any potentially significant impacts from the proposed project to tribal cultural resources that may be inadvertently discovered during construction.

2.19 UTILITIES AND SERVICE SYSTEMS

Would the project:	Significant and Unavoidable Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Require or result in the construction of new water or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry, and multiple dry years?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) 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"/>
d) Generate solid waste in excess of State or local standards, or otherwise impair the attainment of solid waste reduction goals?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

CEQA Significance Determinations for Utilities and Service Systems

a) No Impact: Construction of the project would not require or result in the need for new water or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunication facilities. According to the Storm Water Data Report (SWDR), approved on October 10, 2019, there are some modifications to the culverts to accommodate the widening but the project is in a rural and undeveloped area. Drain inlet stenciling is not required. More detailed information about the existing utilities will be included in the final design plans. Any utility relocation is anticipated to be minor and is not expected to cause significant environmental effects or additional impacts. This would not cause significant environmental effects. There would be no impacts.

b) No Impact: The project would not require a water supply, as there are no existing entitlements or resources within the project area. There would be no impacts.

c) No Impact: According to the SWDR, the Design Pollution Prevention is sufficient to capture the water quality volume. Therefore, the project has adequate capacity to serve the project's projected demand. There would be no impacts.

d) No Impact: The project would not generate solid waste in excess of State or local standards, or impair the attainment of solid waste reduction goals. There would be no impacts.

e) No Impact: The proposed project would be in compliance with all federal, state, and local solid waste statutes and regulations; therefore, there would be no impact.

Avoidance, Minimization, and/or Mitigation Measures

No measures are required.

2.20 WILDFIRES

If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:

	Significant and Unavoidable Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Substantially impair an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

CEQA Significance Determinations for Wildfires

According to the map by CalFire's Fire and Resource Assessment Program (FRAP) (<https://egis.fire.ca.gov/FHSZ/>), the proposed project is located in a State Responsible Area. The FRAP identifies the project area as a "Moderate" and "High" burn area.

a) No Impact: The proposed project would not substantially impair an adopted emergency response plan or emergency evacuation plan. Therefore, there are no impacts.

b) No Impact: The proposed project would not exacerbate wildfire risks or expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a fire. Therefore, there are no impacts.

c) No Impact: The installation or maintenance of associated infrastructure is not part of the project scope. There would be no impacts.

d) No Impact: The project would not expose people or structures to significant risks, including downslope or downstream flooding or landslides. As mentioned under Section VII, Geology and Soils, the project locations are not within a landslide area and the probability is low.

Avoidance, Minimization, and/or Mitigation Measures

No measures are required.

2.21. MANDATORY FINDINGS OF SIGNIFICANCE

	Significant and Unavoidable Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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"/>

CEQA Significance Determinations for Mandatory Findings of Significance

a) Less Than Significant with Mitigation Incorporated: The proposed project would not 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, or reduce the number or restrict the range of a rare or endangered plant or animal species. Avoidance and/or minimization measure **BIO-1** to **BIO- 15** would be implemented to ensure the proposed project would result in less-than-significant impact with mitigation incorporated.

b) No Impact: The proposed project would not result in cumulatively considerable effects when combined with past, present, and reasonably foreseeable future projects and therefore would have no cumulative impact. As such, the proposed project would have no impacts.

c) No Impact: The project would not have environmental effects that would cause substantial adverse effects on human beings, either directly or indirectly. Therefore, the proposed project would have no impacts.

Chapter 3 Climate Change

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 led to increased efforts devoted to GHG emissions reduction and climate change research and policy. These efforts are primarily concerned with the emissions of GHGs generated by human activity, including carbon dioxide (CO₂), methane (CH₄), nitrous oxide (N₂O), tetrafluoromethane, hexafluoroethane, sulfur hexafluoride (SF₆), and various hydrofluorocarbons (HFCs). CO₂ is the most abundant GHG; while it is a naturally occurring component of Earth's atmosphere, fossil-fuel combustion is the main source of additional, human-generated CO₂.

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 GHG emissions to limit 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). This analysis will include a discussion of both.

Regulatory Setting

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

Federal

To date, no national standards have been established for nationwide mobile-source GHG reduction targets, nor have any regulations or legislation been enacted specifically to address climate change and GHG emissions reduction at the project level.

The National Environmental Policy Act (NEPA) (42 United States Code [USC] 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 (FHWA) 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. FHWA 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 (FHWA 2019). This approach encourages planning for sustainable highways by addressing climate risks while balancing environmental, economic, and social values—“the triple bottom line of sustainability” (FHWA n.d.). 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 promulgated at the federal level to improve fuel economy and energy efficiency to address climate change and its associated effects. The most important of these was the Energy Policy and Conservation Act of 1975 (42 USC Section 6201) and Corporate Average Fuel Economy (CAFE) 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 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.

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

The U.S. EPA in conjunction with the National Highway Traffic Safety Administration (NHTSA) is responsible for setting GHG emission standards for new cars and light-duty vehicles to significantly increase the fuel economy of all new passenger cars and light trucks sold in the United States. Fuel efficiency standards directly influence GHG emissions.

State

California has been innovative and proactive in addressing GHG emissions and climate change by passing multiple Senate and Assembly bills and executive orders (EOs) including, but not limited to, the following:

EO S-3-05 (June 1, 2005): The goal of this EO is to reduce California’s GHG 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 (AB) 32 in 2006 and Senate Bill (SB) 32 in 2016.

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

EO S-01-07 (January 18, 2007): This order sets forth the low carbon fuel standard (LCFS) for California. Under this EO, the carbon intensity of California’s transportation fuels is to be reduced by at least 10 percent by the year 2020. ARB re-adopted the LCFS 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 GHG reduction goals.

SB 375, Chapter 728, 2008, Sustainable Communities and Climate Protection: This bill requires ARB 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.

SB 391, Chapter 585, 2009, California Transportation Plan: This bill requires the State’s long-range transportation plan to identify strategies to address California’s climate change goals under AB 32.

EO B-16-12 (March 2012) orders State entities under the direction of the Governor, including ARB, 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.

EO B-30-15 (April 2015) establishes an interim statewide GHG emission reduction target of 40 percent below 1990 levels by 2030 to ensure California meets its target of reducing GHG emissions to 80 percent below 1990 levels by 2050. It further orders all state agencies with jurisdiction over sources of GHG emissions to implement measures, pursuant to statutory authority, to achieve reductions of GHG emissions to meet the 2030 and 2050 GHG emissions reductions targets. It also directs ARB to update the Climate Change Scoping Plan to express the 2030 target in terms of million metric tons of carbon dioxide equivalent (MMTCO₂e).² Finally, it requires

² GHGs differ in how much heat each trap in the atmosphere (global warming potential, or GWP). CO₂ is the most important GHG, so amounts of other gases are expressed relative to CO₂, using a metric called “carbon dioxide equivalent” (CO₂e). The global warming potential of CO₂ is assigned a value of 1, and the GWP of other gases is assessed as multiples of CO₂.

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.

SB 32, Chapter 249, 2016, codifies the GHG reduction targets established in EO B-30-15 to achieve a mid-range goal of 40 percent below 1990 levels by 2030.

SB 1386, Chapter 545, 2016, declared "it to be the policy of the state that the protection and management of natural and working lands ... is an important strategy in meeting the state's greenhouse gas reduction goals, and would require all state agencies, departments, boards, and commissions to consider this policy when revising, adopting, or establishing policies, regulations, expenditures, or grant criteria relating to the protection and management of natural and working lands."

AB 134, Chapter 254, 2017, allocates Greenhouse Gas Reduction Funds and other sources to various clean vehicle programs, demonstration/pilot projects, clean vehicle rebates and projects, and other emissions-reduction programs statewide.

Senate Bill 743, Chapter 386 (September 2013): This bill changes the metric of consideration for transportation impacts pursuant to CEQA from a focus on automobile delay to alternative methods focused on vehicle miles travelled, to promote the state's goals of reducing greenhouse gas emissions and traffic related air pollution and promoting multimodal transportation while balancing the needs of congestion management and safety.

Senate Bill 150, Chapter 150, 2017, Regional Transportation Plans: This bill requires ARB to prepare a report that assesses progress made by each metropolitan planning organization in meeting their established regional greenhouse gas emission reduction targets.

Executive Order B-55-18, (September 2018) sets a new statewide goal to achieve and maintain carbon neutrality no later than 2045. This goal is in addition to existing statewide targets of reducing GHG emissions.

EO N-19-19 (September 2019) advances California's climate goals in part by directing the California State Transportation Agency to leverage annual transportation spending to reverse the trend of increased fuel consumption and reduce GHG emissions from the transportation sector. It orders a focus on transportation investments near housing, managing congestion, and encouraging alternatives to driving. This EO also directs ARB to encourage automakers to produce more clean vehicles, formulate ways to help Californians purchase them, and propose strategies to increase demand for zero-emission vehicles.

Environmental Setting

The proposed project is located on State Route 138 (SR-138) at the Los Angeles County and San Bernardino County Line. The existing facility is an undivided

conventional highway that consists of one lane in each direction between I-15 and SR-18. The project limits are within the town of Pinon Hills. This route is used by a large number of commuter traffic, recreational travelers, and commercial tractor trailers from the high desert areas and mountain communities of both Los Angeles and San Bernardino County. The project proposes to add a 4-foot median buffer with 8-foot standard shoulders, median and shoulder rumble strips, extend 12 existing culverts, and replace 6 culverts. There are residences and businesses within the project vicinity.

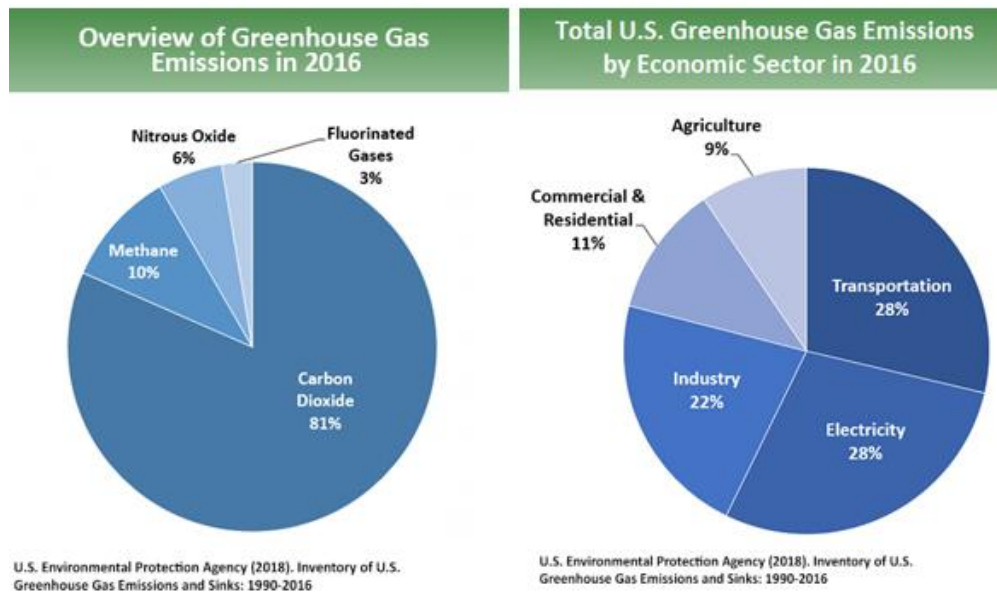
The Southern California Association of Governments (SCAG) Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS) guides transportation development in San Bernardino County.

A GHG emissions inventory estimates the amount of GHGs discharged into the atmosphere by specific sources over a period of time, such as a calendar year. Tracking annual GHG emissions allows countries, states, and smaller jurisdictions to understand how emissions are changing and what actions may be needed to attain emission reduction goals. U.S. EPA is responsible for documenting GHG emissions nationwide, and the ARB does so for the state, as required by H&SC Section 39607.4.

National GHG Inventory

The U.S. EPA prepares a national GHG inventory every year and submits it to the United Nations in accordance with the Framework Convention on Climate Change. The inventory provides a comprehensive accounting of all human-produced sources of GHGs in the United States, reporting emissions of CO₂, CH₄, N₂O, HFCs, perfluorocarbons, SF₆, and nitrogen trifluoride. It also accounts for emissions of CO₂ that are removed from the atmosphere by “sinks” such as forests, vegetation, and soils that uptake and store CO₂ (carbon sequestration). The 1990–2016 inventory found that of 6,511 MMTCO₂e GHG emissions in 2016, 81% consist of CO₂, 10% are CH₄, and 6% are N₂O; the balance consists of fluorinated gases (U.S. EPA 2018a). In 2016, GHG emissions from the transportation sector accounted for nearly 28.5% of U.S. GHG emissions.

Figure 4-1 U.S. 2016 Greenhouse Gas Emissions



State GHG Inventory

ARB collects GHG emissions data for transportation, electricity, commercial/residential, industrial, agricultural, and waste management sectors each year. It then summarizes and highlights major annual changes and trends to demonstrate the state's progress in meeting its GHG reduction goals. The 2019 edition of the GHG emissions inventory found total California emissions of 424.1 MMTCO₂e for 2017, with the transportation sector responsible for 41% of total GHGs. It also found that overall statewide GHG emissions declined from 2000 to 2017 despite growth in population and state economic output (ARB 2019a).

Figure 4-2. California 2017 Greenhouse Gas Emissions

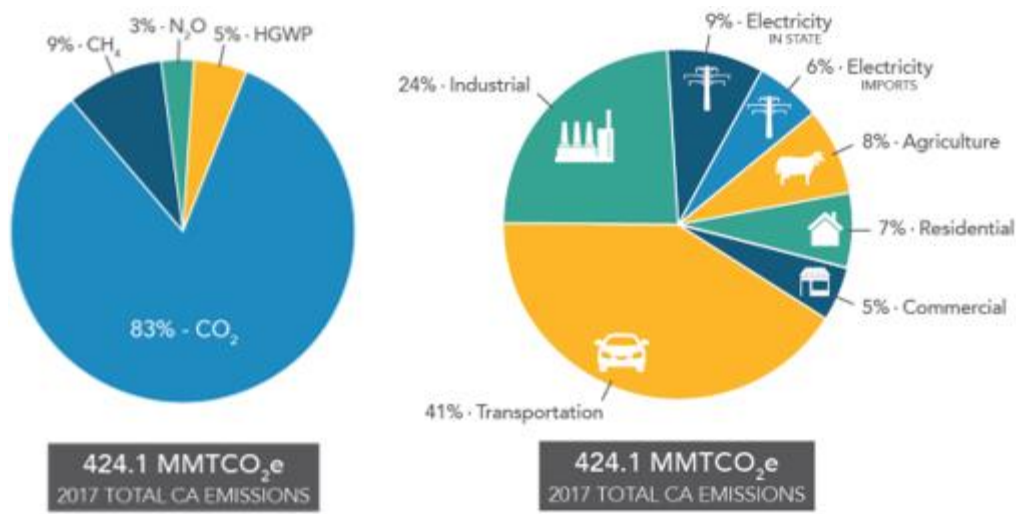
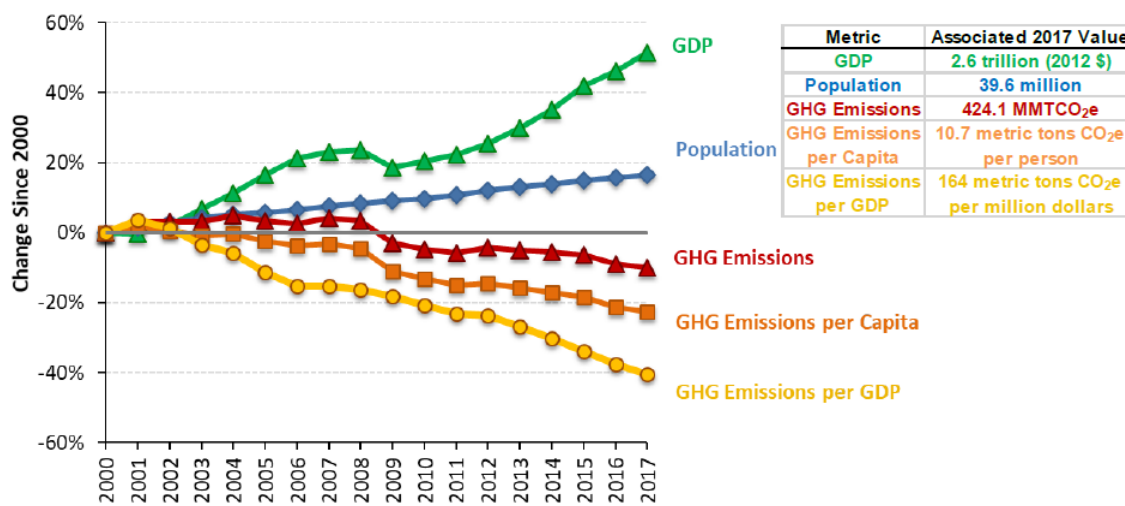


Figure 4-3. Change in California GDP, Population, and GHG Emissions since 2000



Source: ARB 2019b

AB 32 required ARB to develop a Scoping Plan that describes the approach California will take to achieve the goal of reducing GHG emissions to 1990 levels by 2020, and to update it every 5 years. ARB adopted the first scoping plan in 2008. 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 GHG emissions.

Regional Plans

ARB sets regional targets for California's 18 MPOs to use in their RTP/SCSs to plan future projects that will cumulatively achieve GHG reduction goals. Targets are set at a percent reduction of passenger vehicle GHG emissions per person from 2005 levels. The regional reduction target for SCAG is 8 percent by 2020 and 19 percent by 2035 (ARB 2019c). The 2016 SCAG RTP/SCS includes goals to ensure travel safety and reliability for all people and goods, preserve and ensure a sustainable regional transportation system, and protect the environment and health of residents by improving air quality and encouraging active transportation (e.g. bicycling and walking). However, the proposed project is a safety project and is not covered in the SCAG RTP/SCS.

Project Analysis

GHG emissions from transportation projects can be divided into those produced during operation of the SHS and those produced during construction. The primary GHGs produced by the transportation sector are CO₂, CH₄, N₂O, and HFCs. CO₂ emissions are a product of the combustion of petroleum-based products, like gasoline,

in internal combustion engines. Relatively small amounts of CH₄ and N₂O are emitted during fuel combustion. In addition, a small amount of HFC emissions are included in the transportation sector.

The CEQA Guidelines generally address greenhouse gas emissions as a cumulative impact due to the global nature of climate change (Pub. Resources Code, § 21083(b)(2)). As the California Supreme Court explained, “because of the global scale of climate change, any one project's contribution is unlikely to be significant by itself.” (Cleveland National Forest Foundation v. San Diego Assn. of Governments (2017) 3 Cal.5th 497, 512.) 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, the incremental impacts of the project must be compared with the effects of past, current, and probable future projects. Although climate change is ultimately a cumulative impact, not every individual project that emits greenhouse gases must necessarily be found to contribute to a significant cumulative impact on the environment.

Operational Emissions

The proposed project involves a median buffer with standard shoulders, median and shoulder rumble strips, and work on culverts. Because the project would not increase the number of travel lanes, no increase in vehicle miles traveled (VMT) would occur as result of project implementation, and traffic volumes are anticipated to be the same under the Build Alternative and No-Build Alternative. Although GHG emissions during the construction period (as discussed below) would be unavoidable, no increase in operational GHG emissions is expected.

Construction Emissions

Construction GHG emissions would result from material processing, on-site 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 GHG emissions produced during construction can be offset to some degree by longer intervals between maintenance and rehabilitation activities.

Construction-period GHG emissions were modeled using the Sacramento Metropolitan Air Quality Management District Road Construction Emissions Model, version 9.0.0. Short-term construction activities would result in GHG emissions from fuel combustion associated with off- and on-road construction equipment and

vehicles, which would result in estimated emissions of 113 tons of CO₂-equivalent (CO_{2e})³ over the approximately 17-month construction period.

The project would comply with all requirements of the South Coast Air Quality Management District. In addition, Caltrans Standard Specifications Section 14-9, Air Quality, a part of all construction contracts, requires contractors to comply with all federal, state, regional, and local rules, regulations, and ordinances related to air quality. Measures that reduce vehicle emissions and energy use also reduce GHG emissions. Under Avoidance and Minimization Measure TRF-1, a traffic management plan will be implemented to minimize traffic delays and associated idling emissions during construction.

CEQA Conclusion

While the project would result in a slight increase in GHG emissions during construction, it is anticipated that the project would not result in any increase in operational GHG emissions. The proposed project does not conflict with any applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of GHGs. With implementation of construction GHG-reduction measures, the impact would be less than significant.

Caltrans is firmly committed to implementing measures to help reduce GHG emissions. These measures are outlined in the following section.

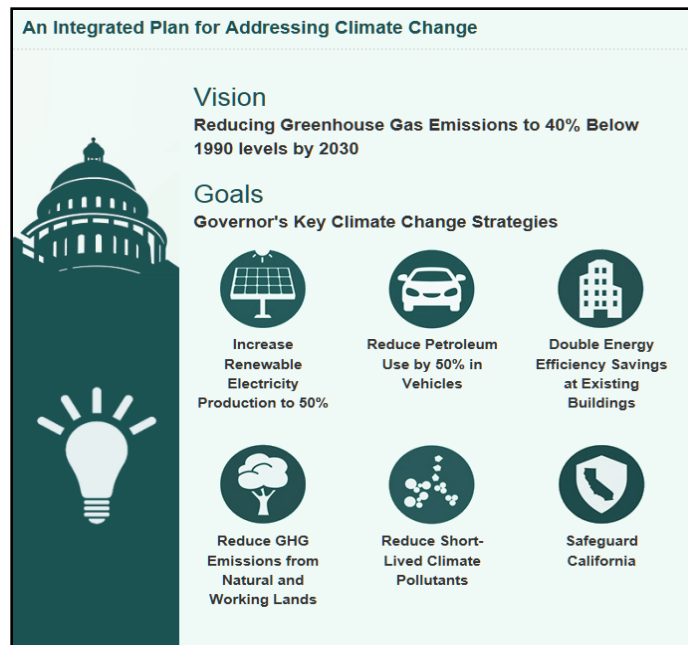
GREENHOUSE GAS REDUCTION STRATEGIES

Statewide Efforts

Major sectors of the California economy, including transportation, will need to reduce emissions to meet the 2030 and 2050 GHG emissions targets. Former Governor Edmund G. Brown promoted GHG reduction goals that involved (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 farms and rangelands, forests, and wetlands so they can store carbon; and (6) periodically updating the state's climate adaptation strategy, *Safeguarding California*.

³ Because GHGs differ in how much heat each traps in the atmosphere, and CO₂ is the most important GHG, amounts of other gases are expressed relative to CO₂. Measurements are then summed and converted to total metric tons of CO₂-equivalent over a given time period. The Road Construction Emissions Model calculates only CO₂, methane, and nitrous oxide.

Figure 4-4. California Climate Strategy



The transportation sector is integral to the people and economy of California. To achieve GHG emission reduction goals, it is vital that the state build on past successes in reducing criteria and toxic air pollutants from transportation and goods movement. GHG emission reductions will come from cleaner vehicle technologies, lower-carbon fuels, and reduction of vehicle miles traveled (VMT). A key state goal for reducing GHG emissions is to reduce today's petroleum use in cars and trucks by up to 50 percent by 2030 (State of California 2019).

In addition, SB 1386 (Wolk 2016) established as state policy the protection and management of natural and working lands and requires state agencies to consider that policy in their own decision making. Trees and vegetation on forests, rangelands, farms, and wetlands remove carbon dioxide from the atmosphere through biological processes and sequester the carbon in above- and below-ground matter.

Caltrans Activities

Caltrans continues to be involved on the Governor's Climate Action Team as the ARB works to implement EOs S-3-05 and S-01-07 and help achieve the targets set forth in AB 32. EO B-30-15, issued in April 2015, and SB 32 (2016), set an interim target to cut GHG 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 GHG emissions. In 2016, Caltrans completed the *California Transportation Plan 2040*, which establishes a new model for developing ground transportation systems, consistent with CO₂ reduction goals. It

serves as an umbrella document for all the other statewide transportation planning documents. Over the next 25 years, California will be working to improve transit and reduce long-run repair and maintenance costs of roadways and developing a comprehensive assessment of climate-related transportation demand management and new technologies rather than continuing to expand capacity on existing roadways.

SB 391 (Liu 2009) requires the CTP to meet California's climate change goals under AB 32. Accordingly, the CTP 2040 identifies the statewide transportation system needed to achieve maximum feasible GHG emission reductions while meeting the state's transportation needs. While MPOs have primary responsibility for identifying land use patterns to help reduce GHG 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 GHG emissions, among other goals. Specific performance targets in the plan that will help to reduce GHG emissions include:

- Increasing percentage of non-auto mode share
- Reducing VMT per capita
- Reducing Caltrans' internal operational (buildings, facilities, and fuel) GHG emissions

Funding and Technical Assistance Programs

In addition to developing plans and performance targets to reduce GHG emissions, Caltrans also administers several sustainable transportation planning grants. These grants encourage local and regional multimodal transportation, housing, and land use planning that furthers the region's RTP/SCS; contribute to the State's GHG reduction targets and advance transportation-related GHG emission reduction project types/strategies; and support other climate adaptation goals (e.g., *Safeguarding California*).

Caltrans Policy Directives and Other Initiatives

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 Caltrans' statewide activities to reduce GHG emissions resulting from agency operations.

Project-Level GHG Reduction Strategies

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

Implementation of a TMP would involve strategies to maintain traffic safety through the construction zone and to minimize traffic delays (TRF-2). The reduction of traffic delays would also reduce short-term increases in GHG emissions from disruptions in traffic flow.

Caltrans Standard Specifications Section 7-1.02A and 7-1.02C, Emissions Reduction, which require contractors to comply with all laws applicable to the project and to certify they are aware of and will comply with all ARB emission reduction regulations.

Caltrans Standard Specifications Section 14-9, Air Quality, a part of all construction contracts, requires contractors to comply with all federal, state, regional, and local rules, regulations, and ordinances related to air quality. South Coast Air Quality Management District regulations would apply in the project area. Measures that reduce vehicle emissions and energy use also reduce GHG emissions.

Consistent with the Program Environmental Impact Report prepared for the SCAG 2016-2040 RTP/SCS, the project will minimize GHG emissions by recycling construction debris to maximum extent feasible and using energy- and fuel-efficient vehicles and equipment that meet or exceed EPA/NHTSA/CARB standards.

Adaptation

Reducing GHG emissions is only one part of an approach to addressing climate change. Caltrans must plan for the effects of climate change on the state's transportation infrastructure and strengthen or protect the facilities from damage. Climate change is expected to produce increased variability in precipitation, rising temperatures, rising sea levels, variability in storm surges and their intensity, and in the frequency and intensity of wildfires. Flooding and erosion can damage or wash out roads; longer periods of intense heat can buckle pavement and railroad tracks; storm surges combined with a rising sea level can inundate highways. Wildfire can directly burn facilities and indirectly cause damage when rain falls on denuded slopes that landslide after a fire. Effects will vary by location and may, in the most extreme cases, require that a facility be relocated or redesigned. Accordingly, Caltrans must consider these types of climate stressors in how highways are planned, designed, built, operated, and maintained.

Federal Efforts

Under NEPA assignment, Caltrans is obligated to comply with all applicable federal environmental laws and FHWA NEPA regulations, policies, and guidance.

The U.S. Global Change Research Program (USGRC) delivers a report to Congress and the president every 4 years, in accordance with the Global Change Research Act of 1990 (15 U.S.C. ch. 56A § 2921 et seq). The *Fourth National Climate Assessment*, published in 2018, presents the foundational science and the “human welfare, societal, and environmental elements of climate change and variability for 10 regions and 18 national topics, with particular attention paid to observed and projected risks,

impacts, consideration of risk reduction, and implications under different mitigation pathways.” Chapter 12, “Transportation,” presents a key discussion of vulnerability assessments. It notes that “asset owners and operators have increasingly conducted more focused studies of particular assets that consider multiple climate hazards and scenarios in the context of asset-specific information, such as design lifetime” (USGCRP 2018).

U.S. DOT Policy Statement on Climate Adaptation in June 2011 committed the federal Department of Transportation 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” (U.S. DOT 2011).

FHWA order 5520 (*Transportation System Preparedness and Resilience to Climate Change and Extreme Weather Events*, December 15, 2014) established FHWA policy to strive to identify the risks of climate change and extreme weather events to current and planned transportation systems. FHWA has developed guidance and tools for transportation planning that foster resilience to climate effects and sustainability at the federal, state, and local levels (FHWA 2019).

State Efforts

Climate change adaptation for transportation infrastructure involves long-term planning and risk management to address vulnerabilities in the transportation system. *California’s Fourth Climate Change Assessment* (2018) is the state’s latest effort to “translate the state of climate science into useful information for action” in a variety of sectors at both statewide and local scales. It adopts the following key terms used widely in climate change analysis and policy documents:

- *Adaptation* to climate change refers to adjustment in natural or human systems in response to actual or expected climatic stimuli or their effects, which moderates harm or exploits beneficial opportunities.
- *Adaptive capacity* is the “combination of the strengths, attributes, and resources available to an individual, community, society, or organization that can be used to prepare for and undertake actions to reduce adverse impacts, moderate harm, or exploit beneficial opportunities.”
- *Exposure* is the presence of people, infrastructure, natural systems, and economic, cultural, and social resources in areas that are subject to harm.
- Resilience is the “capacity of any entity – an individual, a community, an organization, or a natural system – to prepare for disruptions, to recover from shocks and stresses, and to adapt and grow from a disruptive experience”. Adaptation actions contribute to increasing resilience, which is a desired outcome or state of being.

- *Sensitivity* is the level to which a species, natural system, or community, government, etc., would be affected by changing climate conditions.
- *Vulnerability* is the “susceptibility to harm from exposure to stresses associated with environmental and social change and from the absence of capacity to adapt.” Vulnerability can increase because of physical (built and environmental), social, political, and/or economic factor(s). These factors include, but are not limited to: ethnicity, class, sexual orientation and identification, national origin, and income inequality. Vulnerability is often defined as the combination of sensitivity and adaptive capacity as affected by the level of exposure to changing climate.

Several key state policies have guided climate change adaptation efforts to date. Recent state publications produced in response to these policies draw on these definitions.

EO S-13-08, issued by then-governor Arnold Schwarzenegger in November 2008, focused on sea-level rise and resulted in the *California Climate Adaptation Strategy* (2009), updated in 2014 as *Safeguarding California: Reducing Climate Risk* (Safeguarding California Plan). The Safeguarding California Plan offers policy principles and recommendations and continues to be revised and augmented with sector-specific adaptation strategies, ongoing actions, and next steps for agencies.

EO S-13-08 also led to the publication of a series of sea-level rise assessment reports and associated guidance and policies. These reports formed the foundation of an interim *State of California Sea-Level Rise Interim Guidance Document* (SLR Guidance) in 2010, with instructions for how state agencies could incorporate “sea-level rise (SLR) projections into planning and decision making for projects in California” in a consistent way across agencies. The guidance was revised and augmented in 2013. *Rising Seas in California – An Update on Sea-Level Rise Science* was published in 2017 and its updated projections of sea-level rise and new understanding of processes and potential impacts in California were incorporated into the *State of California Sea-Level Rise Guidance Update* in 2018.

EO B-30-15, signed in April 2015, requires state agencies to factor climate change into all planning and investment decisions. This EO recognizes that effects of climate change other than sea-level rise also threaten California’s infrastructure. At the direction of EO B-30-15, the Office of Planning and Research published *Planning and Investing for a Resilient California: A Guidebook for State Agencies* in 2017, to encourage a uniform and systematic approach. Representatives of Caltrans participated in the multi-agency, multidisciplinary technical advisory group that developed this guidance on how to integrate climate change into planning and investment.

AB 2800 (Quirk 2016) created the multidisciplinary Climate-Safe Infrastructure Working Group, which in 2018 released its report, *Paying it Forward: The Path Toward Climate-Safe Infrastructure in California*. The report provides guidance to

agencies on how to address the challenges of assessing risk in the face of inherent uncertainties still posed by the best available science on climate change. It also examines how state agencies can use infrastructure planning, design, and implementation processes to address the observed and anticipated climate change impacts.

Caltrans Adaptation Efforts

Caltrans Vulnerability Assessments

Caltrans is conducting climate change vulnerability assessments to identify segments of the State Highway System vulnerable to climate change effects including precipitation, temperature, wildfire, storm surge, and sea-level rise. The approach to the vulnerability assessments was tailored to the practices of a transportation agency, and involves the following concepts and actions:

- *Exposure* – Identify Caltrans assets exposed to damage or reduced service life from expected future conditions.
- *Consequence* – Determine what might occur to system assets in terms of loss of use or costs of repair.
- *Prioritization* – Develop a method for making capital programming decisions to address identified risks, including considerations of system use and/or timing of expected exposure.

The climate change data in the assessments were developed in coordination with climate change scientists and experts at federal, state, and regional organizations at the forefront of climate science. The findings of the vulnerability assessments will guide analysis of at-risk assets and development of adaptation plans to reduce the likelihood of damage to the State Highway System, allowing Caltrans to both reduce the costs of storm damage and to provide and maintain transportation that meets the needs of all Californians.

Project Adaptation Analysis

Sea-Level Rise Analysis

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

Floodplain

In the Flood Insurance Rate Map (FIRM), provided by Federal Emergency Management Agency (FEMA), the project location is shown to be in FIRM Panel 6425H. The FIRM panel identifies the area to be in the San Bernardino County Unincorporated Areas Zone D. FEMA classifies Zone D as an area where there are possible but undetermined flood hazards. Accordingly, no analysis of flood hazards has been conducted. The Caltrans Climate Change Vulnerability Assessment mapping tool (<http://caltrans.maps.arcgis.com/apps/webappviewer/index.html?id=178a3b8cedf54cbdbe3f90ccb43fc4be>) indicates 100-year storm precipitation

depth in the project area is expected to increase by less than 5 percent by 2085. The project would install a median buffer and rumble strips and extend and replace existing culverts. These improvements are likely to withstand such a level of change in precipitation.

Wildfire

According to the map by CalFire's Fire and Resource Assessment Program (<https://egis.fire.ca.gov/FHSZ/>), the project location is in a "Moderate to High" Fire Hazard Severity Zone. The portion of the SR-138 included in the project limits is in a State Responsibility Area.

Wildfires are a risk in the project area and modeling conducted for the District 8 Draft Climate Vulnerability Assessment Risk shows an increased likelihood in wildfires throughout the area. The District 8 Vulnerability Assessment mapping tool shows the roadway's wildfire exposure within project limits as moderate. The project itself would not introduce new structures to the area that would increase the risk of wildfire, regardless of long-term climate effects. In addition, Caltrans 2018 revised Standard Specification 7-1.02M(2) mandates fire prevention procedures during construction, including a fire prevention plan.

Chapter 4 Comments and Coordination

Early and continuing coordination with the general public and public agencies is an essential part of the environmental process. It helps planners determine the necessary scope of environmental documentation and the level of analysis required, and to identify potential impacts and avoidance, minimization, and/or mitigation measures and related environmental requirements. Agency and tribal consultation and public participation for this project have been accomplished through a variety of formal and informal methods, including interagency coordination meetings, public meetings, public notices, Project Development Team (PDT) meetings. This chapter summarizes the results of the Department's efforts to fully identify, address, and resolve project-related issues through early and continuing coordination.

Consultation with several agencies occurred in conjunction with preparation of the proposed project technical reports and this IS/CE. These agencies are identified in the various technical reports and include the United States Fish and Wildlife Service, California Department of Fish and Wildlife Service, United States Army Corp of Engineers, and Regional Water Quality Control Board.

4.1 Consultation and Coordination with Public Agencies and Tribal Governments

The following provides a summary of all meetings, correspondence, and/or coordination relevant for the development of the proposed project.

4.1.2 AB 52 Consultation

February and March of 2019, Caltrans contacted The San Fernando Band of Mission Indians and San Manuel Band of Mission Indians. No tribe expressed concerns with the project.

4.1.3 Agency Correspondence and Documentation

Biological Resources: Jurisdictional Determination and Biological Opinion

Agencies: USFWS IPaC, NMFS Species List, CDFW Natural Diversity Database (CNDDDB), and California Native Plant Society (CNPS)

4.2 Comments and Responses to Comments

The public circulation period began on June 15, 2020 and ended on July 15, 2020. Comment letter received during the public circulation are included below.

Comment # 1:



Lahontan Regional Water Quality Control Board

July 7, 2020

File: Environmental Doc Review
San Bernardino County

Shawn Ortiz, Senior Environmental Planner
California Department of Transportation
464 W. 4th Street, MS 827
San Bernardino, CA 92401-1400
SBD138ConstructMedianProject@dot.ca.gov

Comments on the Initial Study and Mitigated Negative Declaration for SBD-138 Construct Median and Standard Shoulders, Community of Pinon Hills, San Bernardino County, State Clearinghouse Number 2020060289

Lahontan Regional Water Quality Control Board (Water Board) staff received an Initial Study and Mitigated Negative Declaration (IS/MND) for the above-referenced Project (Project) on June 15, 2020. The IS/MND was prepared by the California Department of Transportation (Caltrans) and submitted in compliance with provisions of the California Environmental Quality Act (CEQA). The proposed Project is intended to improve public safety on State Route 138 (SR-138) by adding a 4-foot median buffer in the median and installing median and shoulder rumble strips. Twelve existing culverts will be extended, and six existing culverts will be replaced as part of the Project.

Water Board staff, acting as a responsible agency, is providing these comments to specify the scope and content of the environmental information germane to our statutory responsibilities pursuant to CEQA Guidelines, California Code of Regulations (CCR), title 14, section 15096. We thank Caltrans for providing Water Board staff the opportunity to review and comment on the IS/MND and for taking the initiative to develop the IS/MND with considerations to potential effects on water quality. We encourage Caltrans to take this opportunity to incorporate into the environmental document: (1) a mitigation measure that requires the preparation and implementation of a comprehensive Spill Prevention and Response Plan; and (2) a listing of the beneficial uses of all water resources within the Project area as outlined in Chapter 2 of the Lahontan Basin Plan. Our comments on the proposed Project are outlined below.

WATER BOARD'S AUTHORITY

All groundwater and surface waters are considered waters of the State. All waters of the State are protected under California law. State law assigns responsibility for

PETER C. PUMPHREY, CHAIR | PATTY Z. KOUDOUNSIAN, EXECUTIVE OFFICER

2501 Lake Tahoe Blvd., So. Lake Tahoe, CA 96150 | 15095 Arroyo Road, Bldg 2, Ste 215, Victorville CA 92394
www.waterboards.ca.gov/lahontan

Response to Comment # 1:

1.1: Thank you for reviewing the Initial Study. Caltrans appreciates the Water Board's comments. The following comments have been taken into consideration and are addressed in the responses below.

1.2: Thank you. The Basin Plan has been incorporated into the Final Environmental Document.

1.1

1.2

continued:

Shawn Ortiz

- 2 -

July 7, 2020

protection of water quality in the Lahontan Region to the Lahontan Water Board. Some waters of the State are also waters of the United States. The Federal Clean Water Act (CWA) provides additional protection for those waters of the State that are also waters of the United States.

The Water Quality Control Plan for the Lahontan Region (Basin Plan) contains policies that the Water Board uses with other laws and regulations to protect the quality of waters of the State within the Lahontan Region. The Basin Plan sets forth water quality standards for surface water and groundwater of the Region, which include designated beneficial uses as well as narrative and numerical objectives which must be maintained or attained to protect those uses. The Basin Plan can be accessed via the Water Board's web site at http://www.waterboards.ca.gov/lahontan/water_issues/programs/basin_plan/references.shtml.

SPECIFIC COMMENTS

Our specific comments on the Project and the IS/MND are provided below.

1. The environmental document should include a mitigation measure that requires the preparation and implementation of a comprehensive Spill Prevention and Response Plan. This plan should outline the site-specific monitoring requirements and list the best management practices necessary to prevent hazardous material spills or to contain and cleanup a hazardous material spill, should one occur.
2. The Project is located within the Mojave Hydrologic Unit (Hydrologic Unit No. 628.00) and overlies the Upper Mojave River Valley groundwater basin (Basin No. 6-42) and the El Mirage groundwater basin (Basin No. 6-43). The beneficial uses of these waters are listed either by watershed (for surface waters) and by groundwater basin (for groundwater) in Chapter 2 of the Basin Plan. The proposed Project should identify and list the beneficial uses of all water resources within the Project area.

PERMITTING REQUIREMENTS FOR INDIVIDUAL PROJECTS

A number of activities if implemented at this site have the potential to impact waters of the State and, therefore, may require permits issued by either the State Water Resources Control Board (State Water Board) or Lahontan Water Board. The required permits may include the following:

1. Streambed alteration and/or discharge of fill material to a surface water may require a CWA, section 401 water quality certification for impacts to federal waters (waters of the U.S.), or dredge and fill waste discharge requirements for impacts to non-federal waters, both issued by the Lahontan Water Board. All unavoidable permanent impacts to waters of the State must be mitigated to ensure no net loss of beneficial use and wetland function and value. Water

Response to Comment # 1:

1.3: Caltrans has Standard Specifications, Best Management Practices, and measures from the Storm Water Data Report (SWDR) that will implement elements for spill prevention and control. As part of the Storm Water Pollution Prevention Program (SWPPP) or Water Pollution Control Program (WPCP), a contractor must assign a WPC manager to implement and oversee spill preventions and control.

Caltrans Standard 13-1.01D(8) requires contractor to conduct weekly trainings/meetings on topics covering spill prevention and control.

Caltrans Standard sub section 13-4.03B directs the contractor on spill and leak prevention procedures.

Caltrans Standard Section 14-11 has information regarding hazardous waste contamination/ management.

1.4: Thank you. The Basin Plan was referenced, and the beneficial uses of these waters have been included in the Hydrology and Water Quality section of the Final Environmental Document.

1.5: Caltrans will work with the Lahontan Water Board during the permitting process.

1.2
cont.

1.3

1.4

1.5

1.6

continued:

Shawn Ortiz


- 3 -

July 7, 2020

Board staff coordinate mitigation requirements with staff from federal and other state regulatory agencies. In determining appropriate mitigation ratios for impacts to waters of the State, we consider Basin Plan requirements (minimum 1.5 to 1 mitigation ratio for impacts to wetlands) and utilize 12501-SPD Regulatory Program Standard Operating Procedure for Determination of Mitigation Ratios, published January 2017 by the US Army Corps of Engineers, South Pacific Division.

2. Land disturbance of more than 1 acre may require a CWA, section 402(p) storm water permit, including a *National Pollutant Discharge Elimination System (NPDES) General Construction Storm Water Permit*, Water Quality Order (WQO) 2009-0009-DWQ, obtained from the State Water Board, or individual storm water permit obtained from the Lahontan Water Board.

Thank you for the opportunity to comment on the IS/MND. If you have any questions regarding this letter, please contact me at (760) 241-7305, tiffany.steinert@waterboards.ca.gov or Jan Zimmerman, Senior Engineering Geologist, at (760) 241-7376, jan.zimmerman@waterboards.ca.gov. Please send all future correspondence regarding this Project to the Water Board's email address at Lahontan@waterboards.ca.gov and be sure to include the State Clearinghouse No. and Project name in the subject line.


Tiffany Steinert
Engineering Geologist

cc: State Clearinghouse (SCH 2020060289) (state.clearinghouse@opr.ca.gov)
California Department of Fish and Wildlife (R6LSA@wildlife.ca.gov)

1.6
cont.

1.7

1.8

Response to Comment # 1:

1.6: Caltrans will coordinate with the RWQCB during the permitting process. Caltrans is not anticipating a Federal 404 permit from the Army Corps and will pursue a Waste Discharge Requirement from the Water Board instead of the 401 permit.

1.7: Caltrans was issued the "Caltrans NPDES Permit" Order No. 2012-0011-DWQ (NPDES No. CAS000003) which regulates storm water activities within Caltrans right-of-way. For projects that disturb more than one acre of soil, the California's Statewide Construction General Permit Order No. 2009-0009-DWQ (NPDES No. CAS000002) is used to address storm water during construction.

1.8: Thank you for the comment. Tiffany Steinert, Jan Zimmerman, and the Lahontan Water Board e-mail has been added to the Distribution List.

Chapter 5 List of Preparers

Malisa Lieng, Associate Environmental Planner, Generalist

Shannon Clarendon, Associate Environmental Planner, Archaeologist

Gary Jones, Associate Environmental Planner, Archaeologist

Nancy Frost, Associate Environmental Planner, Natural Sciences

Karen Riesz, Associate Environmental Planner, Biological Regulatory Permits

Bahram Karimi, Associate Environmental Planner, Paleontology Coordinator

Meenu Chandan, Transportation Engineer, Air Specialist

Phong Hoang, Transportation Engineer, Hazardous Waste Specialist

Mandeep Kingra, Transportation Engineer, Hazardous Waste Specialist

Rodrigo Panganiban, Transportation Engineer, Noise Specialist

Adam Compton, Senior of Biological Regulatory Permits

Kurt Heidelberg, Supervising Environmental Planner

Shawn Oriaz, Senior Environmental Planner

Paul Phan, Senior Transportation Engineer

Andrew Walters, Senior of Environmental Cultural Studies

Craig Wentworth, Senior Environmental Planner

Chapter 6 Distribution List

A compact disc copy of this Initial Study with Proposed Mitigated Negative Declaration (IS and/or a Notice of Availability) was distributed to the federal, state, regional, local agencies and elected officials. In addition, all interested groups, organizations, and individuals within a 0.5-mile radius of the project limits were provided the Notice of Availability for the Draft IS.

Agencies

U.S. Forest Service
Front Country Ranger District
1209 Lytle Creek Road
San Bernardino National Forest
Lytle Creek, CA 92358

U.S. Fish and Wildlife Service
Region 8
2800 Cottage Way
Sacramento, CA 95825

Department of Transportation – District 7
Division of Environmental Planning,
100 South Main Street, Suite 100
Los Angeles, CA 90012-3712

San Bernardino County Planning Dept.
385 N. Arrowhead Ave. , First Floor
San Bernardino, CA 92415

Mojave Desert AQMD
14306 Park Ave.
Victorville, CA 92392

San Bernardino County Fire
9625 Beekley Road,
Phelan, CA 92371

AT&T Consultant
ATTN: Joseph Forkert
22311 Brookhurst Street, Suite 203
Huntington Beach, CA 92646

Frontier Communications
ATTN: Danielle Samaniego
9 South 4th Street
Redlands, CA

Lahontan Regional Water Quality Control
Board
Victorville Branch Office
15095 Amargosa Rd., Bldg 2 – Suite 210
Victorville, CA 92394

California Department of Fish and Wildlife
Inland Region
3602 Inland Empire Blvd, Suite C-220
Ontario, CA 91764

California State Assembly, District 36
Tom Lackey
41301 12th Street West, Suite F
Palmdale, CA 93551

San Bernardino County Flood Control
825 E. Third St.
San Bernardino, CA 92415-0835

Cal Fire Phelan Fire Station
9600 Centola Road,
Phelan, CA 92371

Race Communications
1170 Unit C, E Tehachapi Blvd.
Tehachapi, CA 93561

Southern California Edison
ATTN: Cindy Quinn
12353 Hesperia Rd.
Victorville, CA 92395

Phelan Pinon Hills Community Services
District
4176 Warbler Rd.
Phelan, CA 92371

Spectrum
400 Atlantic Street, 10th Floor
Stamford, CT 06901

SoCalGas
PO BOX 1626
Monterey Park, CA 91754-8626

Jan Zimmerman
jan.zimmerman@waterboards.ca.gov
Victorville Branch Office
15095 Amargosa Rd., Bldg 2 – Suite 210
Victorville, CA 92394

Tiffany Steinert
tiffany.steinert@waterboards.ca.gov
Victorville Branch Office
15095 Amargosa Rd., Bldg 2 – Suite 210
Victorville, CA 92394

Appendix A 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.

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 14th Street, MS-79, Sacramento, CA 95811. Telephone (916) 324-8379, TTY 711, email Title.VI@dot.ca.gov, or visit the website 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 B Avoidance, Minimization and/or Mitigation Summary

In order to be sure that all of the environmental measures identified in this document are executed at the appropriate times, the following mitigation program (as articulated on the proposed Environmental Commitments Record [ECR] which follows) would be implemented. During project design, avoidance, minimization, and /or mitigation measures will be incorporated into the project's final plans, specifications, and cost estimates, as appropriate. All permits will be obtained prior to implementation of the project. During construction, environmental and construction/engineering staff will ensure that the commitments contained in this ECR are fulfilled. Following construction and appropriate phases of project delivery, long-term mitigation maintenance and monitoring will take place, as applicable. As the following ECR is a draft, some fields have not been completed, and will be filled out as each of the measures is implemented. Note: Some measures may apply to more than one resource area. Duplicative or redundant measures have not been included in this ECR.


Appendix C Newspaper Ads and State Clearinghouse



PUBLIC NOTICE

Notice of Intent to Adopt a Mitigated Negative Declaration

SBD 138 Construct Median and Standard Shoulders



WHAT'S BEING PLANNED	<p>The California Department of Transportation (Caltrans) proposes to add a 4-foot median buffer, install median and shoulder rumble strips, and extend 12 existing culverts and replace 6 culverts on State Route 138 (SR-138) near Pinon Hills and Phelan to improve highway safety. For the addition of the median buffer, only the south side will be widened. Rumble strips will be installed on both shoulders (north and south side of the roadway) and on the median buffer. The project will begin 430 feet west of Los Angeles County Line at Post Mile (PM) 74.9 / San Bernardino County Line to 0.6 miles west of Phelan Road at PM 2.3 in San Bernardino County.</p>
WHY THIS AD?	<p>Caltrans has studied the effects this project may have on the environment. Our studies show it will not significantly affect the quality of the environment. The report that explains why is called an <i>Initial Study (with Proposed Mitigated Negative Declaration)</i>. This notice is to tell you of the preparation of the <i>Initial Study (with Proposed Mitigated Negative Declaration)</i> and of its availability for you to read, and to also offer the opportunity to request a public hearing or to provide comments, and the intent to adopt this Mitigated Negative Declaration.</p>
WHAT'S AVAILABLE?	<p>Copies of the <i>Initial Study (with Proposed Mitigated Negative Declaration)</i>, including associated maps, and other project information are available for review during regular business hours at 464 W. 4th Street, San Bernardino, CA 92401.</p>
WHERE YOU COME IN	<p>Do you have any comments about processing the project with an <i>Initial Study with Proposed Mitigated Negative Declaration</i>? Do you disagree with the findings of our study as set forth in the <i>Initial Study with Proposed Mitigated Negative Declaration</i>? Would you care to make any other comments on the project? We'd like to hear what you think. Please submit your comments via email or in writing, no later than July 15, 2020 to:</p> <p style="margin-left: 40px;">California Department of Transportation ATTN: Shawn Oriaz, Senior Environmental Planner 464 W. 4th Street, MS 827 San Bernardino, CA 92401-1400; or via email to SBD138ConstructMedianProject@dot.ca.gov Please use "SBD 138 Construct Median and Standard Shoulders" in the subject line of the email.</p> <p>The date we will begin accepting comments is June 15, 2020. If there are no major comments, Caltrans will proceed with the project's design.</p>
CONTACT	<p>For more information about this project please contact the Caltrans District 8 Office of Public Affairs at (909) 383-4631. For individuals with sensory disabilities, this document can be made available in Braille, in large print, on audiocassette, or on computer disk. To obtain a copy in one of these alternate formats, call or write to Shawn Oriaz, Senior Environmental Planner, 464 W. 4th Street, MS 827, San Bernardino, California 92401-1400; (909)388-7034; or use the California Relay Service 1-800-735-2929 (TTY to Voice), 1-800-735-2922 (Voice to TTY), 1-800-854-7784 (From or to Speech to Speech), or dial 711.</p>

Appendix D List of Technical Studies

- Historic Property Survey Report August 29, 2019.
- Initial Site Assessment Checklist March 18, 2020.
- Natural Environment Study (Minimal Impacts) February 27, 2020.
- Storm Water Data Report October 10, 2019.
- Transportation Management Plan June 18, 2019
- Visual Impact Assessment April 20, 2020